

**CITY COUNCIL OF MONTEREY PARK  
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE  
FORMER REDEVELOPMENT AGENCY  
AGENDA**

**REGULAR MEETING  
Monterey Park City Hall Council Chambers  
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Wednesday  
April 4, 2018  
7:00 p.m.**

**MISSION STATEMENT**

**The mission of the City of Monterey Park is to provide excellent services  
to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at [www.montereypark.ca.gov](http://www.montereypark.ca.gov).

**PUBLIC COMMENTS ON AGENDA ITEMS**

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

This Agenda includes items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

**CALL TO ORDER**      **Mayor**

**FLAG SALUTE**      **The Monterey Park Fire Explorers**

**ROLL CALL**      **Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang, Teresa Real  
Sebastian**

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

**PUBLIC COMMUNICATIONS.** While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

**ORAL AND WRITTEN COMMUNICATIONS**

**[1.] PRESENTATION - None.**

**[2.] SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) - CONSENT CALENDAR ITEMS NO. 2A-2B**

**2-A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF APRIL 4, 2018**

It is recommended that the City Council (acting on behalf of the Successor Agency):

- (1) Approve payment of warrants and adopt a Resolution of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated April 4, 2018 totaling \$20.33 and specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

**2-B. SUCCESSOR AGENCY (SA) MINUTES**

It is recommended that the City Council (acting on behalf of the Successor Agency):

- (1) Approve the minutes from the regular and special meeting of March 7, 2018; and
- (2) Take such additional, related, action that may be desirable.

**[3.] CITY OF MONTEREY PARK- CONSENT CALENDAR ITEMS NOS. 3A-3H**

**3-A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF APRIL 4, 2018**

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution allowing certain claims and demands per Warrant Register dated April 4, 2018 totaling \$1,316,711.62 specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

**3-B. CITY COUNCIL MINUTES**

It is recommended that the City Council:

- (1) Approve the minutes from the regular and special meeting of March 7, 2018; and
- (2) Take such additional, related, action that may be desirable.

**3-C. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK RESOLUTION**

It is recommended that the City Council:

- (1) Adopt a Resolution Declaring the week of April 8 through 14, 2018 to be National Public Safety Telecommunicators Week in Monterey Park; and
- (2) Taking such additional, related, action that may be desirable.

**3-D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING WEDNESDAY, APRIL 25, 2018 TO BE “DENIM DAY MONTEREY PARK”**

It is recommended that the City Council:

- (1) Adopt Resolution no. \_\_\_\_\_ declaring Wednesday, April 25, 2018 as “Denim Day Monterey Park”; and
- (2) Taking such additional, related, action that may be desirable.

**3-E A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING SUPPORTING THE “REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018”**

It is recommended that the City Council:

- (1) Adopt Resolution no. \_\_\_\_\_ declaring support for the “Reducing Crime and Keeping California Safe Act of 2018”; and
- (3) Taking such additional, related, action that may be desirable.

**3-F RENEWAL OF THE ASSESSMENT DISTRICT FOR FISCAL YEAR 2018-19 AND SCHEDULING A PUBLIC HEARING PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.**

It is recommended that the City Council consider:

- (1) Adopting a resolution declaring the City Council’s intent to levy and collect assessments for Fiscal Year 2018-19 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code §§ 22500, *et seq.* and setting a time and place for a public hearing; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed action is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; “CEQA”) and CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. The proposed action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15273.

**3-G CONSIDER A PROPOSED MUNICIPAL CODE AMENDMENT TO CLARIFY AND CLEARLY PROHIBIT AIRPORTS, HELIPORTS AND HELIPADS IN THE MONTEREY PARK MUNICIPAL CODE**

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the ordinance and schedule second reading and adoption for April 18, 2018; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA regulations (14

California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings. This ordinance is an action being taken for enhanced protection of the environment.

**3-H RECONCILING THE EFFECTIVE DATE OF PLANNING COMMISSION DECISIONS WITH MPMC § 1.10.020 – WHICH IS 10 DAYS**

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the ordinance and schedule second reading and adoption for April 18, 2018; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings.

**[4.] PUBLIC HEARING - None.**

**[5.] OLD BUSINESS**

**5-A. ADOPTION OF AN URGENCY ORDINANCE AND FIRST READING OF AN ORDINANCE REAUTHORIZING THE COLLECTION OF A FEE TO SUPPORT PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (“PEG”) CHANNEL FACILITIES WITHIN THE CITY**

It is recommended that the City Council:

- (1) Adopt urgency Ordinance \_\_\_\_\_, reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City;
- (2) Waive first reading and introduce Ordinance \_\_\_\_\_ reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City; and
- (3) Take such additional, related, action that may be desirable.

**[6.] NEW BUSINESS**

**6-A. APPROVE FUNDRAISING CAMPAIGN FOR TWO (2) FITNESS COURTS**

It is recommended that the City Council:

- (1) Approve a fundraising campaign to seek monetary sponsorship to support the construction of two (2) National Fitness Campaign Fitness Courts at Edison Trails Park and Barnes Park; and
- (2) Take such additional, related, action that may be desirable.



**6-B. RESOLUTION IDENTIFYING A CAPITAL IMPROVEMENT PROJECT TO BE INCLUDED IN THE FY 2018-19 BUDGET AND FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

It is recommended that the City Council:

- (1) Adopt a resolution identifying a capital improvement project to be included in the FY 2018-19 budget and funded with Road Maintenance and Rehabilitation Act (RMRA) funds, in a form approved by the City Attorney; and
- (2) Take such additional, related, action that may be desirable.

**[7.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**

**[8.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)**

**ADJOURN**

## ORAL AND WRITTEN COMMUNICATIONS



## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** (SA) New Business  
Agenda Item 2-A.

**TO:** The Honorable Mayor and City Council  
**FROM:** Annie Yaung, CPFO, Director of Management Services  
**SUBJECT:** Warrant Register for Successor Agency to the Former Community Redevelopment Agency of  
**April 4, 2018**

### **RECOMMENDATION:**

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **April 4, 2018 totaling \$20.33** and specifying the funds out of which the same are to be paid; and
- (2) take such additional, related, action that may be desirable.

### **EXECUTIVE SUMMARY:**

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered **359**.

### **BACKGROUND:**


The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park, Acting as the Successor Agency to the Former Community Redevelopment Agency (SA). I also certify that there are monies available for the payments thereof. Please note that amounts being paid by the SA funds in this warrant register represented expenditures incurred, which are pending for approval by the Oversight Board.

**FISCAL IMPACT:**

Disbursements from all funds total **\$20.33.**

Respectfully submitted:

Approved By:

  
\_\_\_\_\_  
Annie Yaung, CPFO  
Director of Management Services  
\_\_\_\_\_  
Ron Bow  
City Manager

Attachments 1: Resolution  
Attachments 2: Warrant Register

# **ATTACHMENT 1**

## **Resolution**

RESOLUTION NO. SA-\_\_\_\_\_

**A RESOLUTION OF THE  
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)  
ALLOWING CERTAIN CLAIMS AND DEMANDS  
PER WARRANT REGISTER DATED  
4TH DAY OF APRIL 2018  
TOTALING \$20.33 AND SPECIFYING THE FUNDS OUT  
OF WHICH THE SAME ARE TO BE PAID**

THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY  
DOES RESOLVE AS FOLLOWS:

SECTION 1. That the following claims and demands have been audited and that the same  
are hereby allowed from various funds in the following amounts:

Atlantic/Garvey Projects	\$ 20.33
Total	<u>\$ 20.33</u>

PASSED, APPROVED AND ADOPTED THE 4TH DAY OF APRIL 2018.

\_\_\_\_\_  
Stephen Lam, Mayor  
City of Monterey Park, California

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

Resolution No. SA-  
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STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY)  
OF CITY OF MONTEREY PARK       )

I hereby certify that this resolution was duly adopted by the  
Successor Agency to the Former Community Redevelopment Agency,  
at a regular meeting held on the 4th of April 2018 by the following vote.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Vincent D. Chang, City Clerk  
City of Monterey Park, California



## **ATTACHMENT 2**

### **Warrant Register**

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AT&T	0860-801-1203-32050	20.33	INTERNET/PHONE SERVICE		359	20.33
TOTAL FOR PREPAID WARRANTS						20.33
	PRINTED	20.33				
	E-PAYABLE	0.00				

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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TOTAL FOR PREPAID WARRANTS	20.33
TOTAL FOR PREPAID E-PAYABLES	0.00
TOTAL FOR PRINTED WARRANTS	0.00
TOTAL FOR PRINTED E-PAYABLES	0.00
TOTAL WARRANTS	20.33
TOTAL VOID CHECKS	0
TOTAL PREPAID CHECKS	1
TOTAL PREPAID E-PAYABLES	0
TOTAL CHECKS PRINTED	0
TOTAL E-PAYABLES PRINTED	0
TOTAL CHECKS ISSUED	1

CITY OF MONTEREY PARK  
 FINAL WARRANT REGISTER  
 COUNCIL MEETING DATE 04/04/2018  
 FUND SUMMARY

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FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0860	ATLANTIC/GARVEY CAP PROJECTS	20.33	0.00	20.33
	<b>TOTAL</b>	<b>20.33</b>	<b>0.00</b>	<b>20.33</b>



# City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** (SA) New Business  
Agenda Item 2-B.

**TO:** The Honorable Mayor and City Council

**FROM:** Vincent D. Chang, City Clerk

**SUBJECT:** Successor Agency (SA) Minutes

**RECOMMENDATION:**

It is recommended that the City Council (acting on behalf of the Successor Agency)

- (1) Approve the minutes from the regular and special meeting of March 7, 2018; and
- (2) Take such additional, related, action that may be desirable.

**EXECUTIVE SUMMARY:**

None.

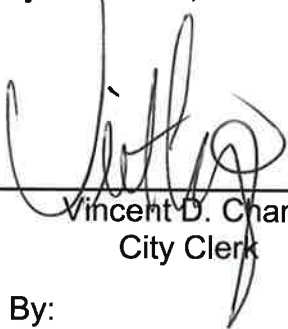
**BACKGROUND:**

None.

**FISCAL IMPACT:**

None.


Respectfully submitted,

  
\_\_\_\_\_  
Vincent D. Chang  
City Clerk

Approved By:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Prepared by:

  
\_\_\_\_\_  
Jesus Hernandez  
Minutes Clerk

**Attachments:** Minutes

# **ATTACHMENT 1**

## **Minutes**

**MINUTES  
MONTEREY PARK CITY COUNCIL  
SUCCESSOR AGENCY (SA)  
SPECIAL MEETING  
MARCH 7, 2018**

The City Council of the City of Monterey Park held a Special Meeting of the Council in Room 266, Second Floor of City Hall, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 7, 2018 at 6:00 p.m.

**CALL TO ORDER:**

Mayor Lam called the meeting to order at 6:01 p.m.

**ROLL CALL:**

City Manager Ron Bow called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,  
Teresa Real Sebastian

Council Members Absent: None

Also Present: City Manager Ron Bow, Director of Human Resources  
and Risk Management Tom Cody

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

None.

**ORAL & WRITTEN COMMUNICATIONS**

None.

**NEW BUSINESS**

**1. APPOINT LABOR NEGOTIATORS:**

Appoint the City Manager and the Director of Human Resources as the City's Labor Negotiators for Bargaining Units Monterey Park Firefighters' Association (MPFFA), Monterey Park Police Officers' Association (MPPOA), Monterey Park Professional Chief Officers' Association (PCOA), POA/Captains' Unit, Police Officer's Mid-Management Association (POMMA.)

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance  
the quality of life for our entire community



**Action Taken:** The City Council appointed the City Manager and the Human Resources Director as the City's Labor Negotiators for all City Employees.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Ing, motion carried by the following vote:

Ayes:	Council Members:	Ing, Liang, Chan, Lam, Real Sebastian
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

**CLOSED SESSION** - The City Council adjourned to Closed Session at 6:05 p.m.

**2. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE § 54957.6**

City Negotiators: Ron Bow, City Manager; Tom Cody, Human Resources Director

Employee Organizations: Bargaining Units Monterey Park Firefighters' Association (MPFFA); Monterey Park Police Officers' Association (MPPOA); Monterey Park Professional Chief Officers' Association (PCOA), POA/Captains' Unit, Police Officer's Mid-Management Association (POMMA.)

**3. CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION (Government Code § 54956.9(d)(4)). Number of Potential Cases: One.**

**RECONVENE & ADJOURNMENT**

The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:58 p.m.

**Action Taken:** No reportable action taken in Closed Session.

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Vincent D. Chang  
City Clerk

**MINUTES  
MONTEREY PARK CITY COUNCIL  
SUCCESSOR AGENCY (SA)  
REGULAR MEETING  
MARCH 7, 2018**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 7, 2018 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

**CALL TO ORDER:**

Mayor Lam called the meeting to order at 7:07 p.m.

**FLAG SALUTE:**

The Monterey Park Fire Explorers

**ROLL CALL:**

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,  
Teresa Real Sebastian

Council Members Absent: None

Mayor Lam announced that he was not feeling well and left the meeting at 7:10 p.m.

**ALSO PRESENT:** City Manager Ron Bow, Assistant City Attorney Karl Berger, City Treasurer Joseph Leon, Fire Chief Scott Haberle, Police Chief Jim Smith, Director of Human Resources and Risk Management Tom Cody, Director of Community & Economic Development Michael Huntley, Director of Management Services Annie Young, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, City Librarian Norma Arvizu, Assistant City Engineer Rey Alfonso, Community Service Officer Natalie Banks, Recreation Superintendent Robert Aguirre, Deputy Fire Marshal Chris Gomez, Deputy City Clerk Cindy Trang

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

Assistant City Attorney Berger announced that persons wishing to speak on the item regarding 1977 Saturn (OneLegacy) should attend the planning commission meeting so their testimony will be recorded.

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance  
the quality of life for our entire community

## **ORAL AND WRITTEN COMMUNICATIONS**

- Nancy Arcuri relayed her concerns on the proposed OneLegacy project.
- Michael Schlegel spoke about his concerns on the Monterey Pass Road bike project.
- Steven Scharf relayed his concerns on the proposed OneLegacy project.
- Kailia Garfield relayed her concerns on the proposed OneLegacy project.
- Maychelle Yee relayed her concerns on the proposed OneLegacy project speakers Cathy Chitjan and Randall Mikuriya gave their speaking time to Maychelle Yee.
- William Garfield relayed his concerns on the proposed OneLegacy project.
- Priscilla Isip relayed her concerns on the proposed OneLegacy project.
- David Isip relayed his concerns on the proposed OneLegacy project.
- Margaret Leung relayed her concerns on the proposed OneLegacy project.
- Dennis Lin relayed his concerns on the proposed OneLegacy project.
- Mitchell Ing spoke about his car accident that occurred 4 ½ years ago.
- Dave Jones relayed his concerns on the proposed OneLegacy project.

**Discussion:** The City Council directed City Manager Bow to televise the March 13, 2018 Planning Commission meeting.

### **1. PRESENTATIONS**

#### **1A. INTRODUCTION OF NEW RECREATION AND COMMUNITY SERVICES DIRECTOR, INEZ ALVAREZ**

City Manager Bow introduced Inez Alvarez, the new Recreation and Community Services Director. Recreation and Community Services Director Alvarez briefly introduced herself along with her experience and goals for the city.

2. **SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) - CONSENT CALENDAR ITEMS NO. 2A**

2A. **SUCCESSOR AGENCY (SA) MINUTES**

Approve the minutes from the regular and special meeting of February 7, 2018.

**Action Taken:** The City Council, acting on behalf of the Successor Agency, approved the minutes from the regular and special meeting of February 7, 2018.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Liang, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**This is the end of Successor Agency (SA) items**



## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** Consent Calendar  
Agenda Item 3-A.

**TO:** The Honorable Mayor and City Council  
**FROM:** Annie Yaung, CPFO, Director of Management Services  
**SUBJECT:** Warrant Register for the City of Monterey Park of  
April 4, 2018

### **RECOMMENDATION:**

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution allowing certain claims and demands per Warrant Register dated **April 4, 2018 totaling \$1,316,711.62** specifying the funds out of which the same are to be paid; and
- (2) take such additional, related, action that may be desirable.

### **EXECUTIVE SUMMARY:**

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered **318427-318585** and e-Payables numbered **000899-000906**.

### **BACKGROUND:**

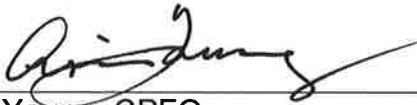
The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park. I also certify that there are monies available for the payments thereof.

**FISCAL IMPACT:**

Disbursements from all funds total **\$1,316,711.62.**

Respectfully submitted:

Approved By:



Annie Yaung, CPFO  
Director of Management Services



Ron Bow  
City Manager

Attachments 1: Resolution  
Attachments 2: Warrant Register

# **ATTACHMENT 1**

## **Resolution**



**RESOLUTION NO.**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**  
**MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS**  
**PER WARRANT REGISTER DATED**  
**4TH DAY OF APRIL 2018**  
**TOTALING \$1,316,711.62 AND SPECIFYING THE FUNDS OUT**  
**OF WHICH THE SAME ARE TO BE PAID**

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES RESOLVE:

SECTION 1. That the following claims and demands have been audited and that the same are hereby allowed from various funds in the following amounts:

General Fund	\$ 204,081.44
State Gas Tax Fund	29,867.98
Sewer Fund	18,057.07
Refuse Fund	387,069.43
City Shop Fund	61,567.44
General Liability Fund	1,875.00
Technology Internal Service Fund	255.00
Public Safety Impact Fee Fund	7,118.60
Special Deposits Fund	3,586.81
Business Improvement Area #1	5,652.58
Workers Comp. Fund	6,229.00
Water Fund	112,265.64
Water Treatment WQA-EPA Fund	33,768.69
OPA Proposition A	8,424.76
Measure R Fund	248,945.20
POST	(1,744.20)
Home Housing Program	104,493.00
Recreation Fund	666.75
Asset Forfeiture	5,060.00
Air Quality Improvement Fund	5,931.00
Prop C	62,884.87
CDBG Fund	2,020.29
Prop A - Per Parcel Grant	282.94
Beverage Container Recycling	616.67
Maintenance Grant (075)	4,090.00
ELAC Instructional Serv Prog	3,645.66
<b>TOTAL</b>	<b>\$ 1,316,711.62</b>

PASSED, APPROVED AND ADOPTED THE 4TH DAY OF APRIL 2018.

\_\_\_\_\_  
 Stephen Lam, Mayor  
 City of Monterey Park, California

ATTEST

\_\_\_\_\_  
 Vincent D. Chang, City Clerk  
 City of Monterey Park, California

RESOLUTION NO.  
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STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS.  
CITY COUNCIL OF THE)  
CITY OF MONTEREY PARK )

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Monterey Park at a regular meeting held on the 4th of April 2018 by the following vote of the Council:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAINED:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

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Vincent D. Chang, City Clerk  
City of Monterey Park, California

## **ATTACHMENT 2**

### Warrant Register

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

5

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AIR-TRO, INC.	0152-801-2206-38620	16,875.00	HOME REHAB-630 N NICHOLSON	18-0375	318427	18,750.00
	0152-801-2206-38620	1,875.00	HOME REHAB-630 N NICHOLSON	18-0375	318427	
ANTHEM BLUE CROSS	0010-801-5102-12330	3,431.45	04/18 MEDICAL INSURANCE		318428	3,431.45
ARTURO M. JUAREZ	0075-450-0075-09010	443.48	CHERRY BLOSSOM PRINTING (TRUST)		318439	443.48
AT & T	0010-801-3113-32050	84.45	PHONE SERVICE		318440	84.45
AT&T	0010-801-1301-32050	20.33	INTERNET/PHONE SERVICE		318441	8,516.76
	0010-801-1404-32050	128.34	INTERNET/PHONE SERVICE		318441	
	0010-801-1408-32050	936.38	INTERNET/PHONE SERVICE		318441	
	0010-801-1801-32050	18.68	INTERNET/PHONE SERVICE		318441	
	0010-801-3112-32050	4,500.75	INTERNET/PHONE SERVICE		318441	
	0010-801-3113-32050	18.66	INTERNET/PHONE SERVICE		318441	
	0010-801-3201-32050	853.38	INTERNET/PHONE SERVICE		318441	
	0010-801-4209-32050	285.39	INTERNET/PHONE SERVICE		318441	
	0010-801-6001-32050	250.87	INTERNET/PHONE SERVICE		318441	
	0010-801-6502-32050	177.82	INTERNET/PHONE SERVICE		318441	
	0010-801-6517-32050	20.31	INTERNET/PHONE SERVICE		318441	
	0010-801-4206-32050	430.79	INTERNET/PHONE SERVICE		318441	
	0043-801-1404-32050	80.82	INTERNET/PHONE SERVICE		318441	
	0092-801-1404-32050	98.12	INTERNET/PHONE SERVICE		318441	
	0092-801-4222-32050	540.22	INTERNET/PHONE SERVICE		318441	
	0109-801-6511-32050	69.36	INTERNET/PHONE SERVICE		318441	
	0169-801-2201-32050	86.54	INTERNET/PHONE SERVICE		318441	
BANKCARD CENTER	0010-801-1101-39400	690.11	02/18-EDUCATION AWARD DINNER		318429	8,516.76
	0010-801-1201-39400	599.12	02/18-CITY MANAGERS MEETING		318429	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
BANKCARD CENTER	0010-801-1403-31950	505.00	02/18-CAFR AWARD APPLICATION		318429	
	0010-801-1703-24100	26.90	02/18-STAMPS		318429	
	0010-801-1704-33200	170.00	02/18-SGV ECONOMIC FORECAST		318429	
	0010-801-1801-32200	40.80	02/18-OVERNIGHT MAILING		318429	
	0010-801-1801-33200	436.00	02/18-SCPMA TRAINING		318429	
	0010-801-1801-39550	194.46	02/18-ORAL BOARD LUNCH		318429	
	0010-801-3101-22650	9.24	02/18-SUBSCRIPTION		318429	
	0010-801-3101-22670	899.36	02/18-MPEC, RESERVE OF THE YEAR		318429	
	0010-801-3101-22750	574.44	02/18-TRAINING		318429	
	0010-801-3120-22750	297.00	02/18-CITIZEN ACADEMY		318429	
	0010-801-3201-33200	750.00	02/18-CHIEF'S CONFERENCE		318429	
	0010-801-3210-22150	185.41	02/18-POST FIRE WIPES		318429	
	0010-801-3210-22750	643.25	02/18-VOLUNTEERS LUNCH		318429	
	0010-801-3210-38100	81.16	02/18-WATER DISPENSER INSTALL		318429	
	0010-801-3230-39460	269.73	02/18-DISASTER PREP TRAINING		318429	
	0010-801-6001-22150	116.36	02/18-TISSUE DISPENSER ROLLERS		318429	
	0010-801-6502-23050	164.24	02/18-CHAIR		318429	
	0010-801-6502-31150	2,010.92	02/18-SCOREBOARD CONTROLLER		318429	
	0010-801-6502-31950	695.00	02/18-CPRS CONFERENCE		318429	
	0060-801-3210-38400	1,072.34	02/18-SPECIALIZED FUEL		318429	
	0075-450-0075-08550	159.30	02/18-LANGLEY SUPPLIES (TRUST)		318429	
	0075-450-0075-08915	451.48	02/18-HOLIDAY DECOR (TRUST)		318429	
	0092-801-4221-24150	49.99	02/18-SUBSCRIPTION		318429	
	0349-801-3201-39400	1,174.66	02/18-TRAINING SUPPLIES		318429	
						11,363.31
CHARTER COMMUNICATIONS	0010-801-6502-32050	79.99	INTERNET/CABLE SERVICE		318430	
	0010-801-6502-32050	79.99	INTERNET/CABLE SERVICE		318430	
	0010-801-3230-32050	130.00	INTERNET/CABLE SERVICE		318430	
						289.98

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CHARTER COMMUNICATIONS	0010-801-4210-38400	134.98	INTERNET/CABLE SERVICE		318442	
	0092-801-4222-32050	128.66	INTERNET/CABLE SERVICE		318442	
	0092-801-4210-38400	101.32	INTERNET/CABLE SERVICE		318442	364.96
ARMANDO S. CORIA	0160-701-0160-03780	5,060.00	RETURNED EVIDENCE MONIES		318443	5,060.00
COUNTY OF LOS ANGELES	0010-801-3220-41100	520.00	PARAMEDIC LICENSE		318444	520.00
CSULB FOUNDATION -	0136-801-3101-33250	1,744.20-	VOID CHECK		317918	1,744.20-
VANESSA DELGADO	0075-450-0075-08420	150.00	NATIONAL LAW ENF CONF (TRUST)		318431	150.00
GUADALUPE MARIE FARIAS	0159-801-6507-31920	87.75	INSTRUCTOR-RECREATION CLASS		318432	
	0159-801-6507-31920	336.00	INSTRUCTOR-RECREATION CLASS		318432	423.75
FEDERAL EXPRESS CORP.	0092-801-4220-32200	18.56	DELIVERY SERVICES		318433	
	0010-801-1403-32200	30.09	DELIVERY SERVICES		318433	
	0092-801-4222-31950	26.27	DELIVERY SERVICES		318433	
	0092-801-4222-31950	42.51	DELIVERY SERVICES		318433	
	0010-801-3205-32200	20.18	DELIVERY SERVICES		318433	
	0010-801-3102-32200	11.99	DELIVERY SERVICES		318433	
	0043-801-4212-32200	24.66	DELIVERY SERVICES		318433	174.26
KELLY A. GORDON	0010-801-3101-22750	117.80	POLICE TRAINING		318445	117.80
HENSLEY LAW GROUP	0010-801-1601-31600	20,380.00	LEGAL-GENERAL SERVICES	18-0209	318446	
	0042-801-1601-31600	10,602.00	LEGAL-CODE ENFORCEMENT	18-0221	318446	
	0042-801-1601-31600	1,421.00	LEGAL-GOODVIEWS	18-0221	318446	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
HENSLEY LAW GROUP	0010-801-1601-31600	232.00	LEGAL-FIRST TRANSIT	18-0221	318446	
	0042-801-1601-31600	3,538.56	LEGAL-GENERAL LITIGATION	18-0221	318446	
	0042-801-1601-31600	306.00	LEGAL-GOODVIEWS LITIGATION	18-0221	318446	
	0042-801-1601-31600	2,189.51	LEGAL-KING'S INN	18-0221	318446	
	0010-801-1601-31600	19.00	LEGAL-XU	18-0221	318446	
						38,688.07
MARTIN AND CHAPMAN COMPANY	0010-801-1301-32200	6,440.00	CONSOLIDATED ELECTION POSTCARD	18-0387	318447	
						6,440.00
MILES CHEMICAL COMPANY INC	0093-801-4226-23300	1,137.64	SPENT SODIUM HYDROXIDE REMOVAL	18-0283	318448	
	0093-801-4229-23300	1,137.64	SPENT SODIUM HYDROXIDE REMOVAL	18-0283	318448	
	0093-801-4230-23300	1,137.65	SPENT SODIUM HYDROXIDE REMOVAL	18-0283	318448	
	0093-801-4232-23300	1,137.65	SPENT SODIUM HYDROXIDE REMOVAL	18-0283	318448	
						4,550.58
MONTEREY PARK PETTY CASH	0010-801-1704-33100	20.00	PETTY CASH-PARKING		318434	
	0010-801-1703-33200	33.25	PETTY CASH-PARKING		318434	
	0010-801-1703-33200	36.30	PETTY CASH-PARKING		318434	
	0010-801-6502-31150	71.13	PETTY CASH-PHONE PROTECTOR		318434	
	0092-801-4220-21350	37.51	PETTY CASH-REFRESHMENTS		318434	
	0092-801-4220-23700	46.66	PETTY CASH-EQUIPMENT PARTS		318434	
	0010-801-3102-24100	58.44	PETTY CASH-GAS		318434	
	0010-801-3102-22750	54.11	PETTY CASH-GAS CONTAINER		318434	
	0010-801-3102-22310	50.00	PETTY CASH-GUN INSPECTION		318434	
	0010-801-3120-22750	38.29	PETTY CASH-FRAMES		318434	
						445.69
PATHOMRAT NEIL KUNAWONGSE	0010-801-6508-39250	175.00	CHERRY BLOSSOM POSTER		318449	
	0075-450-0075-08520	75.00	CINCO DE MAYO CARDS (TRUST)		318449	
						250.00
SO CAL CONSTRUCTION	0152-801-2206-38620	513.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	1,140.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	



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SO CAL CONSTRUCTION	0152-801-2206-38620	3,610.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	25,127.50	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	11,210.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	12,160.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	2,375.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	19,000.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	6,460.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	684.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	2,622.00	HOME REHAB-630 N NICHOLSON	18-0363	318435	
	0152-801-2206-38620	841.50	HOME REHAB-630 N NICHOLSON	18-0363	318435	
						85,743.00
SOUTHERN CALIFORNIA WATER UTILITIES	0092-801-4220-39300	90.00	WATER TRAINING		318436	
						90.00
T-MOBILE USA	0109-801-6511-22750	69.84	DIAL-A-RIDE CELLULAR SERVICES		318450	
						69.84
THE GAS COMPANY (DBA)	0010-801-3114-36200	420.62	GAS SERVICES		318451	
	0060-801-4211-22250	5,376.14	GAS SERVICES		318451	
						5,796.76
UNITED PARCEL SERVICE	0010-801-1407-32200	175.50	DELIVERY SERVICES		318437	
	0010-801-3101-32200	66.27	DELIVERY SERVICES		318437	
	0010-801-3205-32200	255.32	DELIVERY SERVICES		318437	
						497.09
UNITED STATES POSTAL SERVICE	0010-801-6509-31880	5,399.00	CASCADES POSTAGE		318452	
						5,399.00
MARICELA VASQUEZ	0010-801-6506-22750	200.00	DAY CARE SUPPLIES		318453	
						200.00
VERIZON WIRELESS	0092-801-4222-32050	152.04	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-3115-38400	53.94	WIRELESS VOICE & DATA SERVICE		318454	

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
VERIZON WIRELESS	0022-801-4206-32050	10.46	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-4209-32050	9.34	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-4212-32050	8.88	WIRELESS VOICE & DATA SERVICE		318454	
	0092-801-4221-32050	12.84	WIRELESS VOICE & DATA SERVICE		318454	
	0092-801-4222-32050	0.23	WIRELESS VOICE & DATA SERVICE		318454	
	0092-801-4223-32050	69.05	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-6502-32050	56.53	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-6517-32050	56.76	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-1201-38400	38.01	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-1701-32050	38.80	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-1703-32050	42.62	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-1702-32050	166.52	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-1404-32050	580.57	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-3112-32050	1,465.73	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-3112-32050	56.30	WIRELESS VOICE & DATA SERVICE		318454	
	0010-801-6502-32050	106.12	WIRELESS VOICE & DATA SERVICE		318454	
						2,924.74
JULIE MARIE VILLANUEVA	0010-801-6001-21350	77.85	PETTY CASH-BADGE, PLATE		318455	
	0010-801-6001-21350	66.75	PETTY CASH-INK CARTRIDGE		318455	
	0010-801-6006-22450	66.92	PETTY CASH-AIR FRESHENER		318455	
	0010-801-6006-22450	33.90	PETTY CASH-TWEEN PROGRAM		318455	
						245.42
TOTAL FOR PREPAID WARRANTS						199,286.19
PRINTED		199,286.19				
E-PAYABLE		0.00				

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
3SI SECURITY SYSTEMS, INC	0010-801-3104-31950	648.00	POLICE TRACKING SYSTEM		318456	648.00
4IMPRINT, INC.	0010-801-1301-22750	575.00	MUNICIPAL CLERK WEEK PROMO		899 *	
	0010-801-1301-21350	123.33	MUNICIPAL CLERK WEEK PROMO		899 *	698.33
AAA ELECTRICAL SUPPLY, INC.	0010-801-4210-23400	488.90	CABLES,GLOVES,TAPTOOL,EAR PLUG	18-0138	318457	
	0010-801-4210-23400	886.36	DUPLEX RECEPTION,LAMP,COVERS	18-0138	318457	1,375.26
ADMINSURE INC.	0080-801-8301-20000	6,229.00	WORKERS COMP CLAIM ADMIN		318458	6,229.00
AH-LA NOODLES, INC.	0010-701-0010-06850	308.00	REFUND INDUSTRIAL WASTE FEE		318459	308.00
	0010-701-0010-02010	135.00	REFUND BUSINESS LICENSE		318460	135.00
ALLSTAR FIRE EQUIPMENT INC.	0010-801-3210-24100	366.28	PIKE POLE		318461	366.28
AMERICAN WATER WORKS ASSN/AWWA	0092-801-4221-39300	1,300.00	WATER MEMBERSHIP	18-0149	318462	
	0092-801-4222-39300	500.00	WATER MEMBERSHIP	18-0149	318462	
	0092-801-4223-39300	1,622.00	WATER MEMBERSHIP	18-0149	318462	
	0092-801-4220-39300	600.00	WATER MEMBERSHIP	18-0149	318462	4,022.00
ARAMARK UNIFORM & CAREER APPAREL GF	0060-801-4211-22300	47.99	UNIFORM CLEANING		318463	
	0060-801-4211-22300	59.83	UNIFORM CLEANING		318463	
	0010-801-3210-39050	27.36	UNIFORM CLEANING		318463	
	0010-801-3210-39050	8.03	UNIFORM CLEANING		318463	143.21
ARCHITECTURAL DESIGN & SIGNS INC.	0010-701-0010-02010	344.00	REFUND BUSINESS LICENSE		318464	
	0010-701-0010-02020	4.00	REFUND STATE FEE		318464	

\* Indicates an E-Payable transaction

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						348.00
ATHENS SERVICES	0022-801-4205-41200	26,625.00	STREETS SWEEPING SERVICES	18-0350	318465	
	0344-801-5002-99290	1,300.00	STREETS SWEEPING SERVICES	18-0351	318465	
	0092-801-4223-22750	100.00	ROLL OFF RENTAL		318465	
						28,025.00
	0043-801-4208-41200	386,287.29	REFUSE COLLECTION SERVICES		318466	
						386,287.29
AUTOZONE WEST, INC	0060-801-4211-23500	39.73	WHEEL CYLINDERS	18-0115	900 *	
						39.73
VINCENT BALTIERRA III	0010-801-1801-39400	57.59	TUITION REIMBURSEMENT		318467	
						57.59
BOB BARKER CO., INC.	0010-801-3113-22600	181.79	BARBICIDE DISINFECTING WIPES		318468	
	0010-801-3113-22600	136.56	LICE SHAMPOO, TOOTHBRUSH		318468	
						318.35
DARREN BRADEN	0010-801-1801-39400	674.00	TUITION REIMBURSEMENT		318469	
						674.00
CALBO TRAINING INSTITUTE	0010-801-1703-39300	295.00	MEMBERSHIP		318470	
						295.00
CALIFORNIA EQUINE PRODUCTS INC.	0349-801-3201-39400	2,176.00	FIRE AXE SCABBARDS		318471	
						2,176.00
CALIFORNIA WATER SERVICE CO.	0092-801-4222-36300	69.54	WATER SERVICE		318472	
	0092-801-4222-36300	38.18	WATER SERVICE		318472	
	0092-801-4222-36300	221.51	WATER SERVICE		318472	
	0092-801-4222-36300	66.24	WATER SERVICE		318472	
						395.47
CALOX, INC	0010-801-3220-24200	8.50	CYLINDER OXYGEN		318473	
	0010-801-3220-24200	8.50	CYLINDER OXYGEN		318473	
						17.00

\* Indicates an E-Payable transaction

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CANON FINANCIAL SERVICES, INC.	0109-801-6511-22750	186.57	COPIER MACHINE RENTAL		318474	186.57
CANON SOLUTIONS AMERICA, INC	0109-801-6511-22750	290.20	COPIER MAINTENANCE		901 *	
	0109-801-6511-22750	174.08	COPIER MAINTENANCE		901 *	464.28
CARL WARREN & COMPANY	0062-801-5101-35600	375.00	LIABILITY CLAIMS ADMIN FEES		318475	
	0062-801-5101-35600	375.00	LIABILITY CLAIMS ADMIN FEES		318475	
	0062-801-5101-35600	375.00	LIABILITY CLAIMS ADMIN FEES		318475	
	0062-801-5101-35600	750.00	LIABILITY CLAIMS ADMIN FEES		318475	1,875.00
CHAU'S 76 INC.	0060-801-4211-22250	63.44	FLEET FUEL		318476	
	0060-801-4211-22250	46.00	FLEET FUEL		318476	
	0060-801-4211-22250	62.84	FLEET FUEL		318476	
	0060-801-4211-22250	100.16	FLEET FUEL		318476	
	0060-801-4211-22250	64.04	FLEET FUEL		318476	
	0060-801-4211-22250	39.26	FLEET FUEL		318476	
	0060-801-4211-22250	114.97	FLEET FUEL		318476	
	0060-801-4211-22250	67.30	FLEET FUEL		318476	
	0060-801-4211-22250	52.18	FLEET FUEL		318476	
	0060-801-4211-22250	24.77	FLEET FUEL		318476	
	0060-801-4211-22250	59.13	FLEET FUEL		318476	
	0060-801-4211-22250	200.01	FLEET FUEL		318476	
	0060-801-4211-22250	28.93	FLEET FUEL		318476	
	0060-801-4211-22250	90.00	FLEET FUEL		318476	
	0060-801-4211-22250	30.48	FLEET FUEL		318476	
	0060-801-4211-22250	217.67	FLEET FUEL		318476	
	0060-801-4211-22250	12.34	FLEET FUEL		318476	
	0060-801-4211-22250	82.56	FLEET FUEL		318476	
	0060-801-4211-22250	72.16	FLEET FUEL		318476	

\* Indicates an E-Payable transaction

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CHAU'S 76 INC.	0060-801-4211-22250	77.79	FLEET FUEL		318476	
	0060-801-4211-22250	47.15	FLEET FUEL		318476	
	0060-801-4211-22250	69.22	FLEET FUEL		318476	
	0060-801-4211-22250	41.84	FLEET FUEL		318476	
	0060-801-4211-22250	55.31	FLEET FUEL		318476	
	0060-801-4211-22250	87.21	FLEET FUEL		318476	
	0060-801-4211-22250	53.19	FLEET FUEL		318476	
	0060-801-4211-22250	42.22	FLEET FUEL		318476	
	0060-801-4211-22250	66.02	FLEET FUEL		318476	
	0060-801-4211-22250	82.89	FLEET FUEL		318476	
	0060-801-4211-22250	71.45	FLEET FUEL		318476	
	0060-801-4211-22250	47.01	FLEET FUEL		318476	
	0060-801-4211-22250	87.98	FLEET FUEL		318476	
	0060-801-4211-22250	59.65	FLEET FUEL		318476	
	0060-801-4211-22250	93.77	FLEET FUEL		318476	
	0060-801-4211-22250	62.06	FLEET FUEL		318476	
	0060-801-4211-22250	65.66	FLEET FUEL		318476	
	0060-801-4211-22250	66.15	FLEET FUEL		318476	
	0060-801-4211-22250	53.74	FLEET FUEL		318476	
	0060-801-4211-22250	94.68	FLEET FUEL		318476	
	0060-801-4211-22250	115.74	FLEET FUEL		318476	
	0060-801-4211-22250	60.29	FLEET FUEL		318476	
	0060-801-4211-22250	60.50	FLEET FUEL		318476	
	0060-801-4211-22250	62.33	FLEET FUEL		318476	
	0060-801-4211-22250	51.55	FLEET FUEL		318476	
	0060-801-4211-22250	50.42	FLEET FUEL		318476	
						3,154.06
TERANCE CHEN	0092-701-0092-07520	58.77	REFUND WATER INSTALLATION		318477	
						58.77

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CINTAS CORPORATION	0010-801-3210-22150	241.65	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	102.25	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	102.25	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	279.65	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	176.14	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	83.24	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	83.24	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	151.43	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	102.22	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	46.57	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	46.57	JANITORIAL SUPPLIES	18-0012	318478	
	0010-801-3210-22150	177.25	JANITORIAL SUPPLIES	18-0012	318478	
						1,592.46
CITATION MANAGEMENT (DBA)	0010-701-0010-03630	5,523.33	PARKING CITATIONS SERVICE		318479	
						5,523.33
COBRA FIRE PROTECTION	0092-801-4210-38100	305.29	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	53.11	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	68.00	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	144.50	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	205.40	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	65.00	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	157.95	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	145.90	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	126.40	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	287.85	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	168.85	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	72.95	FIRE SYS/EXTINGUISHERS SERVICE		318480	
	0092-801-4210-38100	255.30	FIRE SYS/EXTINGUISHERS SERVICE		318480	
						2,056.50

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COLLICUTT ENERGY SERVICES INC	0010-801-4210-38400	828.20	GENERATOR TESTING & REPAIR		318481	
	0010-801-4210-38400	567.23	GENERATOR TESTING & REPAIR		318481	
	0010-801-4210-38400	567.23	GENERATOR TESTING & REPAIR		318481	1,962.66
COMPLETE LANDSCAPE CARE, INC.	0092-801-5004-91922	825.00	DEMONSTRATION GARDEN SERVICES	18-0304	318482	
	0092-801-5004-91922	5,945.00	LANDSCAPE MAINTENANCE	18-0304	318482	6,770.00
COMPRESSED AIR SPECIALITIES	0010-801-3210-38400	1,096.81	FIRE-AIR COMPRESSOR REPAIR		318483	1,096.81
CONTROL AUTOMATION DESIGN	0093-850-4228-23700	2,030.00	SCADA SYSTEM SERVICES	17-0530	318484	
	0093-850-4228-23700	1,450.00	SCADA SYSTEM SERVICES	17-0530	318484	3,480.00
CORE & MAIN LP (FKA) HD SUPPLY WATH	0092-801-4223-23350	1,730.23	SOFT COPER TUBING		318485	1,730.23
DAPEER ROSENBLIT & LITVAK	0010-801-1702-31600	6,370.80	LEGAL FEES-COMM DEVELOPMENT		318486	
	0010-801-1702-31600	1,358.04	LEGAL FEES-COMM DEVELOPMENT		318486	7,728.84
DEPARTMENT OF JUSTICE	0010-801-1801-39550	128.00	FINGERPRINT PROCESSING		318487	128.00
DIRECTV, LLC	0010-801-3230-32050	134.24	EOC SERVICES		318488	134.24
DIVERSIFIED ALARM SERVICE	0092-801-4210-38100	105.00	MONITORING SERVICES		902 *	
	0092-801-4210-38100	85.00	MONITORING SERVICES		902 *	
	0092-801-4210-38100	675.00	MONITORING SERVICES		902 *	865.00
DUNN-EDWARDS CORPORATION	0010-801-4210-23100	111.19	PAINT		318489	
	0010-801-4210-23100	75.43	PAINT		318489	
	0010-801-4210-23100	107.80	PAINT		318489	

\* Indicates an E-Payable transaction



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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
DUNN-EDWARDS CORPORATION	0010-801-4210-23100	107.80-	PAINT-CREDIT		318489	186.62
E.G.BRENNAN & CO LLC	0010-801-1403-38400	305.13	SERVICE OF DATA STAMP		318490	305.13
EMERGENCY RESPONSE CRIME SCENE CLEANING	0010-801-3103-22750	250.00	DECONTAMINATION		318491	250.00
EMPIRE CLEANING SUPPLY	0010-801-3113-22600	1,169.32	TOILET TISSUE,GLOVES,LINER		903 *	2,574.61
	0010-801-3210-22150	1,405.29	LINER,CUP,CLEANER,CUP		903 *	
ENTERPRISE FM TRUST	0060-801-4211-37800	6,033.78	POLICE LEASED VEHICLES	18-0200	318492	6,033.78
EUROFINS EATON ANALYTICAL, INC.	0093-801-4227-31950	1,155.00	WATER ANALYSIS	18-0102	318493	11,210.00
	0093-801-4226-31950	2,415.00	WATER ANALYSIS	18-0102	318493	
	0093-801-4230-31950	2,595.00	WATER ANALYSIS	18-0102	318493	
	0093-801-4231-31950	145.00	WATER ANALYSIS	18-0102	318493	
	0093-801-4229-31950	4,900.00	WATER ANALYSIS	18-0102	318493	
FIRST TRANSIT INC	0166-801-4201-31960	62,675.22	SPIRIT BUS OPERATION	18-0242	318494	61,771.58
	0166-801-4201-31960	209.65	SPIRIT BUS GPS	18-0242	318494	
	0109-801-4201-31950	1,375.26	SPIRIT BUS CHARTER SERVICE	18-0242	318494	
	0109-801-4201-31950	705.30	SPIRIT BUS CNG FUEL	18-0242	318494	
	0109-701-0109-07680	3,193.85-	SPIRIT BUS FARE		318494	
FORD OF MONTEBELLO	0060-801-4211-23500	149.86	DOOR GLASS-UNIT 021		318495	1,012.07
	0060-801-4211-23500	107.61	REGULATOR-UNIT 021		318495	
	0060-801-4211-23500	754.60	WHEELS, TMPS SENSORS		318495	
FORWARD THINKING SYSTEMS, LLC	0109-801-6511-22750	60.00	DIAL-A-RIDE GPS SERVICE		318496	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						60.00
GALL'S, INC. (DBA) GALLS/QUARTERMASTER	0010-801-3210-22300	241.78	UNIFORMS-D RESPICIO		318497	
	0010-801-3210-22310	42.60	UNIFORMS-S GREGG	18-0061	318497	
	0010-801-3210-22310	144.44	UNIFORMS-M HALLOCK	18-0061	318497	
	0010-801-3210-22310	29.57	UNIFORMS-M HALLOCK	18-0061	318497	
	0010-801-3210-22310	10.90	UNIFORMS-C KILBURN	18-0061	318497	
	0010-801-3210-22310	8.71	UNIFORMS-D PARK	18-0061	318497	
	0010-801-3210-22310	14.19	UNIFORMS-E STARY	18-0061	318497	
	0010-801-3210-22310	43.66	UNIFORMS-E STARY	18-0061	318497	
	0010-801-3210-22310	259.36	UNIFORMS-E STARY	18-0061	318497	
						795.21
GALLADE CHEMICAL, INC.	0092-801-4222-23300	1,180.41	WATER CHEMICALS		904 *	
						1,180.41
GARFIELD MEDICAL CENTER	0010-801-3113-22600	24.00	PHYSICAL		318498	
						24.00
GARVEY EQUIPMENT COMPANY	0060-801-4211-38400	393.54	CHAIN SAWS MAINTENANCE		318499	
						393.54
GRAINGER	0010-801-4210-23100	90.75	STENCILS	18-0157	318500	
	0010-801-4210-23100	101.02	STENCILS	18-0157	318500	
						191.77
GRM INFORMATION MANAGEMENT	0010-801-1801-38400	231.00	DOCUMENT SYSTEM SERVICES	18-0043	318501	
	0092-801-1301-31950	135.21	DOCUMENT SYSTEM SERVICES	18-0231	318501	
	0092-801-1301-31950	36.17	DOCUMENT SYSTEM SERVICES	18-0231	318501	
	0010-801-1301-31950	769.00	DOCUMENT SYSTEM SERVICES	18-0231	318501	
	0092-801-1301-31950	100.91	DOCUMENT SYSTEM SERVICES	18-0231	318501	
	0092-801-1301-31950	28.24	DOCUMENT SYSTEM SERVICES	18-0231	318501	
	0063-801-5004-99068	255.00	DOCUMENT SYSTEM SERVICES	18-0232	318501	
						1,555.53

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
HARDY & HARPER, INC	0110-801-4202-23600	97,387.20	ASPHALT PAVEMENT REPAIR	18-0384	318502	207,682.20
	0110-801-5003-91943	110,295.00	STREET RESURFACING	18-0340	318502	
HAROLD'S KEY SHOP, INC.	0010-801-4210-38100	115.00	KEY/LOCK SERVICES		318503	115.00
HD SUPPLY FACILITIES MAINTENANCE LJ	0092-801-4223-22750	215.00	WATER VALVE DECAL, MARKING POST		318504	247.38
	0092-801-4223-23900	32.38	WATER VALVE DECAL, MARKING POST		318504	
HINDERLITER, DE LLAMAS & ASSOC.	0010-801-1403-31400	1,408.66	CONTRACT SERVICES-SALES TAX	18-0273	318505	2,321.26
	0010-701-0010-01500	912.60	CONTRACT SERVICES-SALES TAX		318505	
HIRONORI RAMEN FACTORY	0010-701-0010-06850	308.00	REFUND INDUSTRIAL WASTE FEE		318506	308.00
HOME DEPOT CREDIT SERVICES	0010-801-3210-38100	728.65	LUMBER, CLEAR COAT GLAZE, PAINT		318507	
	0010-801-3210-38100	45.44	CORDMATE		318507	
	0010-801-3210-38100	246.50	CLEAR GLASS, PLYWOOD, PAINT		318507	
	0010-801-6505-23050	139.93	GREASE, POTTING MIX, CLEANER		318507	
	0010-801-6505-23050	36.07	GLOVE, WRAP		318507	
	0178-801-6505-22150	245.76	BOX, CABLE, TOWELS, EXT CORD		318507	
	0178-801-6505-22150	37.18	FLOOD MAT, CLOG REMOVER		318507	
	0010-801-6505-23050	64.47	PUTTY, GREASE, FOAM, BRUSH		318507	
	0092-801-4222-24100	564.26	CORDLESS PAINT BAGS	18-0228	318507	
	0092-801-4222-23700	72.48	BLUE TAPE, CAULK, FUN, CLEANER	18-0228	318507	
	0092-801-4222-23700	203.69	BLUE TAPE, PAINT, RESPIRATORS	18-0228	318507	
	0010-801-4210-23300	54.29	NUT, DRIVER, CLAMPS, BAG	18-0153	318507	
	0010-801-4210-23300	86.25	WATER HEATER INSTALL KIT	18-0153	318507	
	0010-801-4210-23300	10.92	RUNNER	18-0153	318507	
	0010-801-4210-23300	91.88	FAUCET, WATER FILTER, SCREWS	18-0153	318507	
	0092-801-4223-22150	49.21	DETERGENTS	18-0228	318507	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
HOME DEPOT CREDIT SERVICES	0092-801-4223-23600	215.72	CONCRETE	18-0228	318507	
	0092-801-4223-23700	175.62	MEASURE WHEEL,CLOTHS CHISEL	18-0228	318507	3,068.32
INDUSTRIAL PIPE & STEEL	0092-801-4223-23300	114.95	ROUND TUBE		318508	114.95
INFOSEND, INC.	0092-801-4221-32200	4,784.74	BILLING SERVICES	18-0171	318509	4,784.74
INNOVATIVE PLAYGROUNDS COMPANY,LLC	0010-801-5002-88450	4,202.27	PLAY GROUND EQUIPMENT	18-0348	318510	4,202.27
INTERWEST CONSULTING GROUP, INC	0010-701-0010-06100	6,080.00	PLAN CHECK SERVICES	18-0361	318511	6,080.00
IRON MOUNTAIN OFF-SITE DATA	0010-850-1403-31700	334.02	COMPUTER DATA STORAGE		318512	334.02
JAVIER PARADA (DBA) XTREME FITNESS	0349-801-3201-39400	295.00	FIRE EQUIPMENT MAINTENANCE		318513	295.00
JCL TRAFFIC SERVICES	0022-801-4206-23800	240.90	ENGINEER GRADE STICKERS	18-0100	318514	
	0022-801-4206-23800	708.53	NO TRUCKS SYMBOL	18-0100	318514	
	0022-801-4206-23800	2,283.09	DETOUR AHEAD,ROAD CLOSED SIGN	18-0100	318514	3,232.52
JOHN L. HUNTER & ASSOC.,INC.	0043-801-4203-31950	616.66	ENVIRONMENTAL POSTERS	18-0241	318515	
	0214-801-4208-31950	616.67	ENVIRONMENTAL POSTERS		318515	1,233.33
KOA CORPORATION	0010-801-4212-31950	4,789.60	COLLISION ANALYSIS AT GARFIELD	18-0321	318516	4,789.60
L N CURTIS & SONS	0010-801-3210-22300	420.97	RESCUE GLOVES		318517	420.97
L.A.U.S.D. PERSONNEL	0010-801-1801-39400	360.00	BILINGUAL TESTING SERVICES		318518	360.00

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STEPHEN LAM	0010-801-1101-11100	80.00	MAYOR'S EXPENSES		318519	
	0092-801-1101-11100	60.00	MAYOR'S EXPENSES		318519	
	0043-801-1101-11100	60.00	MAYOR'S EXPENSES		318519	200.00
LAWN MOWER CORNER/KNG POWER EQUIPM	0060-801-4211-38400	111.02	WEEDER PREVENTIVE MAINTENANCE		318520	
	0060-801-4211-38400	134.83	CHAIN SAW,HAND BLOWER REPAIRS		318520	245.85
THE LIGHTHOUSE INC (DBA)	0060-801-4211-23500	39.86	BULB		318521	39.86
LOOMIS ARMORED US, INC.	0010-801-1403-31950	555.91	ARMORED CARRIER SERVICE		318522	555.91
LOS ANGELES COUNTY FIRE DEPT.	0060-801-3210-38400	5,974.82	REPAIRS-UNIT 250,856,950,984	18-0037	318523	5,974.82
DUAN MA	0010-701-0010-03630	53.00	REFUND PARKING CITATION		318524	53.00
MAK FIRE PROTECTION ENGINEERING & C	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	850.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	2,767.29	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	270.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	117.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	833.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	615.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	270.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	510.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	

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MAK FIRE PROTECTION ENGINEERING & (	0010-701-0010-06330	3,955.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	270.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	1,633.30	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	170.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	1,080.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	1,810.42	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	510.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	340.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	425.00	FIRE PLAN CHECK	18-0036	318525	
	0010-701-0010-06330	4,009.10	FIRE PLAN CHECK	18-0036	318525	
						21,455.11
MATCO TOOLS (DBA)	0060-801-4211-24100	180.62	AMP CARBON		318526	
						180.62
MCCALLS METER SALES & SERVICE	0093-801-4227-23300	2,020.75	WATER METER REPAIRS		318527	
						2,020.75
MCMASTER-CARR SUPPLY CO.	0092-801-4222-23700	146.39	HOSE COUPLINGS	18-0226	318528	
	0092-801-4222-23700	372.75	THREADED RODS,HEX NUTS,BRUSHES	18-0226	318528	
	0092-801-4222-23700	267.73	ICE CHEST,TOOL BATTERY,WARP	18-0226	318528	
						786.87
MCNEILL SECURITY AND FIRE SYSTEMS (	0092-801-4210-38400	2,001.69	ALARM SERVICES		318529	
	0092-801-4222-31950	644.81	ALARM SERVICES		318529	
	0092-801-4222-31950	1,031.69	ALARM SERVICES		318529	
						3,678.19
METRON-FARNIER, LLC	0092-801-4223-23300	51,892.38	WATER METERS INSTALLATION	18-0234	318530	
						51,892.38
MIDORI GARDENS	0344-801-5002-99290	2,790.00	LANDSCAPE SERVICES	18-0312	318531	
						2,790.00

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
MIKE'S MUFFLER	0060-801-4211-38400	259.50	FLEET REPAIR-UNIT 978		318532	259.50
MISSION SUPER HARDWARE	0010-801-6517-23050	30.63	HOOK	18-0185	318533	
	0060-801-4211-23500	97.29	CORD EXTENSION,MOP,GLASSES		318533	127.92
MOBILE MINI LLC	0010-801-6508-39860	110.46	FARMER MARKET STORAGE		318534	110.46
MODERN TRAILER SUPPLY CO (DBA)	0060-801-4211-23500	19.74	TAIL LIGHT CONVERTER-UNIT 948		318535	19.74
MR. ROOTER PLUMBING (DBA)	0010-801-6517-31950	8,052.50	PLUMBING SERVICES	18-0135	318536	
	0010-801-6517-31950	575.00	PLUMBING SERVICES		318536	8,627.50
MUSIC GEM	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		318537	190.00
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		318538	190.00
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		318539	190.00
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		318540	190.00
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		318541	190.00
MV CHENG & ASSOCIATES INC.	0010-801-1403-31950	3,250.00	TEMPORARY STAFFING SERVICES		318542	3,250.00
NATIONAL FIRE SPRINKLER	0010-801-3205-39350	85.00	FIRE SUBSCRIPTION		318543	85.00
NAVARRO'S TOWING	0060-801-3210-38400	110.00	TOWING SERVICES		318544	110.00

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
NFPA INTERNATIONAL	0010-801-3205-39350	1,495.00	FIRE CODES SUBSCRIPTION		318545	1,495.00
O'REILLY AUTO PARTS	0060-801-4211-23500	19.89	MICRO V BELT-UNIT 052	18-0126	318546	
	0060-801-3210-38400	28.21	WHITE GREASE, FIX FLAT		318546	48.10
OFFICE DEPOT INC.	0010-801-6505-21350	172.99-	PRINTER DRUM-CREDIT		318547	
	0010-801-6505-21350	89.90	TONER		318547	
	0010-801-6505-21350	754.06	TONER, PENS, ORGANIZER		318547	
	0010-801-6505-21350	44.65	PENS		318547	
	0010-801-6505-23910	8.74	STICKS		318547	
	0010-801-6505-21250	174.08	COPY PAPER, LABELS, TAPE		318547	
	0060-801-4211-21350	350.38	CHAIRS		318547	
	0010-801-6505-21350	420.97	BINDER		318547	
	0010-801-6505-21350	420.97-	BINDER-CREDIT		318547	
	0092-801-4223-21350	420.97	POST BINDER	18-0203	318547	
	0092-801-4220-22700	230.44	KEYBOARDS, MOUSE, INK		318547	
	0092-801-4222-21250	9.84	NOTEBOOKS	18-0203	318547	
	0092-801-4222-21250	59.74	MARKERS, PENS, NOTE PADS, PENCILS	18-0203	318547	
	0010-801-1301-21300	72.16	PAPERS, FOLDER, TAPES, NOTE PADS		318547	
	0010-801-1301-21300	3.82	PEN		318547	
	0010-801-1703-21350	52.21	SIGN HOLDER, SORTER, WIPES		318547	
	0010-801-1701-21350	43.79	POCKET FILE		318547	
	0092-801-1406-24100	202.30	ELEC STAPLER, FILE		318547	
	0010-801-1408-21250	75.70	PAPER		318547	
	0010-801-6502-21350	75.70	PAPER		318547	
	0010-801-1801-21250	75.70	PAPER		318547	
	0010-801-6502-21350	57.40	PAPER, MOUSEPAD, WRISTREST		318547	2,628.59
OFFICE SOLUTIONS	0010-801-1703-21350	50.72	JOB TICKET HOLDER		905 *	

\* Indicates an E-Payable transaction



CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
OFFICE SOLUTIONS	0010-801-1701-21350	22.55	CLASP ENVELOPE		905 *	
	0010-801-4209-21350	140.16	PAPER		905 *	
	0010-801-1403-22750	525.28	PAPER, PENS, TONERS, FOLDERS		905 *	
	0010-801-1403-22750	8.69	W2 FORMS		905 *	
	0010-801-1403-22750	140.16	COPIER PAPER		905 *	
	0010-801-1403-22750	190.07	PAPERS, POCKET FILE, PENS		905 *	
	0010-801-1403-22750	32.48-	DUSTER-CREDIT		905 *	
	0010-801-1403-22750	16.24-	DUSTER-CREDIT		905 *	
	0010-801-1403-22750	48.27-	W2 FORM-CREDIT		905 *	
						980.64
P & P DEVELOP INC	0071-801-5004-99729	7,118.60	FIRE STATION 61 PARKING LOT	18-0315	318548	
	0110-801-5004-99729	41,263.00	FIRE STATION 61 PARKING LOT	18-0315	318548	
						48,381.60
MANUEL PANIAGUA	0075-450-0075-08630	300.00	REFUND FACILITY DEPOSIT(TRUST)		318549	
						300.00
PERFORMANCE ELEVATOR CONTRACTORS IN	0092-801-4210-38400	160.00	ELEVATOR MAINTENANCE	18-0067	318550	
	0092-801-4210-38400	320.00	ELEVATOR MAINTENANCE	18-0067	318550	
						480.00
POKIHOLIC	0010-701-0010-06850	308.00	REFUND INDUSTRIAL WASTE FEE		318551	
						308.00
PREFERRED ALLIANCE INC	0010-801-1801-31900	85.28	DRIVER TESTING		318552	
						85.28
PRISCILA DAVILA & ASSOCIATES, INC.	0169-801-2201-31850	1,933.75	CDBG REHABILITATION CONSULTING	18-0116	318553	
						1,933.75
PWD-HSC	0010-701-0010-02500	1,201.00	REFUND BUILDING PERMIT		318554	
	0010-450-1703-02520	70.82	REFUND BUILDING PERMIT		318554	
	0010-450-1701-02530	141.64	REFUND BUILDING PERMIT		318554	
	0010-701-0010-09200	9.21	REFUND BUILDING PERMIT		318554	

\* Indicates an E-Payable transaction

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
PWD-HSC	0010-701-0010-09202	3.00	REFUND BUILDING PERMIT		318554	1,425.67
QUALITY CODE PUBLISHING LLC	0010-801-1301-39250	2,468.27	MUNICIPAL CODE	18-0123	318555	2,468.27
S C FUELS (DBA)	0060-801-4211-22250	11,676.55	FUEL	18-0120	318556	35,172.01
	0060-801-4211-22250	12,262.72	FUEL	18-0120	318556	
	0060-801-4211-22250	11,232.74	FUEL	18-0120	318556	
SA ASSOCIATES	0093-801-4224-82259	7,984.80	CENTRALIZED GROUNDWATER INSP	18-0357	318557	35,970.80
	0092-801-4222-23300	27,972.75	WQA TIME STUDY	18-0380	318557	
	0093-801-4228-31950	13.25	WQA TIME STUDY	18-0219	318557	
SAN GABRIEL VALLEY WATER CO.	0093-801-4233-22900	164.12	WATER SERVICES		318558	221.00
	0092-801-4222-36300	56.88	WATER SERVICES		318558	
SANDE EQUIPMENT COMPANY, INC.	0060-801-4211-23500	215.22	FUEL TANK-UNIT CT11		318559	215.22
SUSAN SAXE-CLIFFORD, PH.D.	0010-801-1801-31900	450.00	PSYCHOLOGICAL EVALUATION		318560	450.00
SERGIO BALANDRAN (DBA) THE SAUCE CO	0092-801-6508-31990	256.94	VETERANS DAY POSTER DESIGN		318561	2,086.31
	0075-450-0075-08915	1,829.37	BUMPER STICKERS (TRUST)		318561	
ANDREW SERRANO	0159-801-6507-31920	130.00	INSTRUCTOR-RECREATION CLASS		318562	130.00
SMARDAN SUPPLY COMPANY	0010-801-6503-38100	169.79	BALL VALVE,SAW BLADE,TANK		318563	18-0154 318563
	0010-801-4210-23300	499.59	WATER HEATER	18-0154	318563	
	0010-801-4210-23300	24.30	SHANK RELIEF VALVE	18-0154	318563	
	0010-801-4210-23300	115.14	VALVE,COUPLING,ADAPTER, SOLDER	18-0154	318563	

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
SMARDAN SUPPLY COMPANY	0010-801-4210-23300	385.13	HANDLE ASSEMBLY	18-0154	318563	1,193.95
SMART & FINAL #321	0010-801-3210-22750	83.80	WATER CACHE		318564	83.80
SOUTH COAST AIR QUALITY	0010-801-3230-41100	378.28	AQMD FEES		318565	
	0010-801-3230-41100	127.46	AQMD FEES		318565	
	0010-801-4210-38100	127.46	AQMD FEES		318565	
	0010-801-4210-38100	378.28	AQMD FEES		318565	1,011.48
SOUTHERN CALIFORNIA GAS COMPANY	0109-801-5002-96067	5,931.00	CST SERVICE FEE	18-0323	318566	
	0165-801-5002-96067	5,931.00	CST SERVICE FEE	18-0323	318566	
	0109-801-5002-96067	2,757.00	CST MAINTENANCE FEE	18-0323	318566	14,619.00
SPIDR TECH INC.	0010-801-3115-38400	21,956.00	SPIDR ENGAGE SUBSCRIPTION	18-0006	318567	
	0010-801-3115-31700	2,000.00	SPIDR ENGAGE SUBSCRIPTION		318567	23,956.00
STETSON ENGINEERS, INC	0093-801-4230-31950	631.70	NPDES PERMIT APPLICATION	18-0317	318568	
	0093-801-4226-31950	116.49	NPDES PERMIT APPLICATION	18-0317	318568	748.19
SUPERIOR COURT OF CALIFORNIA - COUN	0010-701-0010-03620	9,833.70	CITATION PROCESSING		318569	
	0010-701-0010-03620	10,637.10	CITATION PROCESSING		318569	20,470.80
RICHARD R. TERZIAN	0010-801-1702-31600	425.00	FIRE HEARING SERVICES		318570	425.00
THE CHRYSALIS CENTER	0077-801-1111-31950	5,652.58	BID MAINTENANCE	18-0104	318571	5,652.58
THOMSON REUTERS (LEGAL) INC.	0010-801-3104-39100	331.00	POLICE INFORMATION SERVICES		318572	331.00

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
TSG ENTERPRISES, INC. (DBA) THE SOI	0093-850-4224-82259	2,073.00	LABOR COMPLIANCE PROGRAM	17-0527	318573	2,073.00
TURNOUT MAINTENANCE COMPANY LLC	0010-801-3210-22300	192.00	FIRE UNIFORM CLEAN/REPAIR		318574	192.00
TONY URICH	0010-801-3104-22310	157.41	UNIFORM REIMBURSEMENT		318575	157.41
YARACELI VALENZUELA	0010-701-0010-07050	188.00	REFUND PICNIC RESERVATION		318576	188.00
VISTA PAINT CO.	0092-801-4222-23700	15.33	PAINT		318577	235.72
	0092-801-4222-23700	220.39	PAINT		318577	
WALTERS WHOLESALE ELECTRIC CO	0010-801-4210-23400	51.32	HANGER BOLT,STEEL ROD	18-0137	318578	51.32
WARREN DISTRIBUTING, INC.	0060-801-4211-23500	285.17	BRAKE-UNIT 049	18-0125	906 *	
	0060-801-4211-23500	144.43	WIPER	18-0125	906 *	
	0060-801-4211-23500	165.09-	WIPER-CREDIT	18-0125	906 *	
	0060-801-4211-23500	33.76	TENSIONER-UNIT 948	18-0125	906 *	
	0060-801-4211-23500	391.17	POWER BRAKE BOOSTER-UNIT 949	18-0125	906 *	
	0060-801-4211-23500	181.73	WIPER MOTOR-UNIT 028	18-0125	906 *	
	0060-801-4211-23500	93.98	BATTERY-UNIT 058	18-0125	906 *	
	0060-801-4211-23500	67.31	DISCHARGE-UNIT 058	18-0125	906 *	
	0060-801-4211-23500	110.77	BREAK DISC-UNIT 929	18-0125	906 *	
	0060-801-4211-23500	12.08	SUSPENSION	18-0125	906 *	
	0060-801-4211-23500	208.97	BATTERY	18-0125	906 *	
	0060-801-4211-23500	514.91	BATTERY,MOTOR FAN	18-0125	906 *	
	0060-801-4211-23500	135.78-	POWER BRAKE,MOTOR-CREDIT	18-0125	906 *	
	0060-801-4211-23500	65.70-	BATTERY-CREDIT	18-0125	906 *	
	0060-801-4211-23500	13.14-	BATTERY-CREDIT	18-0125	906 *	

\* Indicates an E-Payable transaction

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						1,664.57
WECK LABORATORIES (DBA)	0093-801-4227-31950	508.00	VOLATILE ORGANIC COMPOUND		318579	
	0093-801-4227-31950	508.00	VOLATILE ORGANIC COMPOUND		318579	
	0093-801-4227-31950	508.00	VOLATILE ORGANIC COMPOUND		318579	
						1,524.00
WEST HEALTH ADVOCATE SOLUTIONS, INC	0010-801-1801-31950	1,698.00	HEALTH ADVOCATE SERVICES		318580	
						1,698.00
WESTCO SERVICE COMPANY	0010-801-5002-88500	3,028.00	AIR CONDITIONING REPAIR	18-0366	318581	
	0010-801-5002-88500	583.00	AIR CONDITIONING REPAIR	18-0366	318581	
						3,611.00
WESTERN EXTERMINATOR COMPANY	0092-801-4210-38100	50.00	PEST CONTROL	18-0204	318582	
						50.00
WESTERN WATER WORKS SUPPLY CO.	0092-801-4221-23700	362.34	FIRE HYDRANT METER LOCK		318583	
	0092-801-4222-23700	98.56	RED COMP,GAS GASKET		318583	
	0092-801-4222-23700	90.78	RED COMP,GAS GASKET		318583	
						551.68
RICKY WONG	0075-450-0075-08350	131.14	REFUND HUB INSURANCE (TRUST)		318584	
						131.14
BONNIE ZAMORA	0159-701-0159-07030	113.00	REFUND RECREATION CLASS		318585	
						113.00
TOTAL FOR REGULAR WARRANTS						1,117,425.43
PRINTED		1,108,957.86				
E-PAYABLE		8,467.57				

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018

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TOTAL FOR PREPAID WARRANTS	199,286.19
TOTAL FOR PREPAID E-PAYABLES	0.00
TOTAL FOR PRINTED WARRANTS	1,108,957.86
TOTAL FOR PRINTED E-PAYABLES	8,467.57
TOTAL WARRANTS	1,316,711.62
TOTAL VOID CHECKS	1
TOTAL PREPAID CHECKS	28
TOTAL PREPAID E-PAYABLES	0
TOTAL CHECKS PRINTED	130
TOTAL E-PAYABLES PRINTED	8
TOTAL CHECKS ISSUED	166

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018  
FUND SUMMARY

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FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0010	GENERAL FUND	58,690.89	145,390.55	204,081.44
0022	STATE GAS TAX FUND	10.46	29,857.52	29,867.98
0042	SEWER FUND	18,057.07	0.00	18,057.07
0043	REFUSE FUND	105.48	386,963.95	387,069.43
0060	CITY SHOP FUND	6,448.48	55,118.96	61,567.44
0062	GENERAL LIABILITY FUND	0.00	1,875.00	1,875.00
0063	TECHNOLOGY INTERNAL SERV FUND	0.00	255.00	255.00
0071	PUBLIC SAFETY IMPACT FEE FUND	0.00	7,118.60	7,118.60
0075	SPECIAL DEPOSITS FUND	376.30	3,210.51	3,586.81
0077	BUSINESS IMPROVEMENT AREA #1	0.00	5,652.58	5,652.58
0080	WORKERS COMP FUND	0.00	6,229.00	6,229.00
0092	WATER FUND	1,413.98	110,851.66	112,265.64
0093	WATER TREATMENT WQA-EPA FUND	4,550.58	29,218.11	33,768.69
0109	OPA PROPOSITION A	139.20	8,285.56	8,424.76
0110	MEASURE R FUND	0.00	248,945.20	248,945.20
0136	POST	1,744.20-	0.00	1,744.20-
0152	HOME HOUSING PROGRAM	104,493.00	0.00	104,493.00
0159	RECREATION FUND	423.75	243.00	666.75
0160	ASSET FORFEITURE	5,060.00	0.00	5,060.00
0165	AIR QUALITY IMPROVEMENT FUND	0.00	5,931.00	5,931.00
0166	PROPOSITION C	0.00	62,884.87	62,884.87
0169	CDBG FUND	86.54	1,933.75	2,020.29
0178	PROP A - PER PARCEL GRANT	0.00	282.94	282.94
0214	BEVERAGE CONTAINER RECYCLING	0.00	616.67	616.67
0344	MAINTENANCE GRANT (075)	0.00	4,090.00	4,090.00
0349	ELAC INSTRUCTIONAL SERV PROG	1,174.66	2,471.00	3,645.66

CITY OF MONTEREY PARK  
FINAL WARRANT REGISTER  
COUNCIL MEETING DATE 04/04/2018  
FUND SUMMARY

32

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
	TOTAL	199,286.19	1,117,425.43	1,316,711.62





# City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-B.**

**TO:** The Honorable Mayor and City Council

**FROM:** Vincent D. Chang, City Clerk

**SUBJECT:** City Council Minutes

**RECOMMENDATION:**

It is recommended that the City Council

- (1) Approve the minutes from the regular and special meeting of March 7, 2018; and
- (2) Take such additional, related, action that may be desirable.

**EXECUTIVE SUMMARY:**

None.

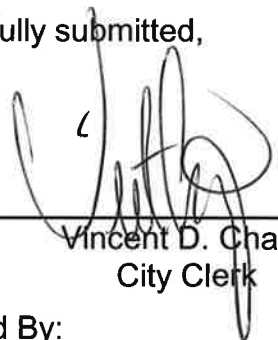
**BACKGROUND:**

None.

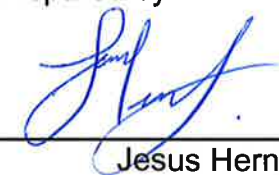
**FISCAL IMPACT:**

None.

Respectfully submitted,

  
\_\_\_\_\_  
Vincent D. Chang  
City Clerk

Prepared by:

  
\_\_\_\_\_  
Jesus Hernandez  
Minutes Clerk

Approved By:

  
\_\_\_\_\_  
Ron Bow  
City Manager

**Attachments:** Minutes

# **ATTACHMENT 1**

## **Minutes**

**MINUTES  
MONTEREY PARK CITY COUNCIL  
SUCCESSOR AGENCY (SA)  
SPECIAL MEETING  
MARCH 7, 2018**

The City Council of the City of Monterey Park held a Special Meeting of the Council in Room 266, Second Floor of City Hall, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 7, 2018 at 6:00 p.m.

**CALL TO ORDER:**

Mayor Lam called the meeting to order at 6:01 p.m.

**ROLL CALL:**

City Manager Ron Bow called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,  
Teresa Real Sebastian

Council Members Absent: None

Also Present: City Manager Ron Bow, Director of Human Resources  
and Risk Management Tom Cody

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

None.

**ORAL & WRITTEN COMMUNICATIONS**

None.

**NEW BUSINESS**

**1. APPOINT LABOR NEGOTIATORS:**

Appoint the City Manager and the Director of Human Resources as the City's Labor Negotiators for Bargaining Units Monterey Park Firefighters' Association (MPFFA), Monterey Park Police Officers' Association (MPPOA), Monterey Park Professional Chief Officers' Association (PCOA), POA/Captains' Unit, Police Officer's Mid-Management Association (POMMA.)

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance  
the quality of life for our entire community

**Action Taken:** The City Council appointed the City Manager and the Human Resources Director as the City's Labor Negotiators for all City Employees.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Ing, motion carried by the following vote:

Ayes:	Council Members:	Ing, Liang, Chan, Lam, Real Sebastian
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

**CLOSED SESSION** - The City Council adjourned to Closed Session at 6:05 p.m.

**2. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE § 54957.6**

City Negotiators:	Ron Bow, City Manager; Tom Cody, Human Resources Director
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Employee Organizations:	Bargaining Units Monterey Park Firefighters' Association (MPFFA); Monterey Park Police Officers' Association (MPPOA); Monterey Park Professional Chief Officers' Association (PCOA), POA/Captains' Unit, Police Officer's Mid-Management Association (POMMA.)
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**3. CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION (Government Code § 54956.9(d)(4)). Number of Potential Cases: One.**

**RECONVENE & ADJOURNMENT**

The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:58 p.m.

**Action Taken:** No reportable action taken in Closed Session.

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Vincent D. Chang  
City Clerk

**MINUTES  
MONTEREY PARK CITY COUNCIL  
SUCCESSOR AGENCY (SA)  
REGULAR MEETING  
MARCH 7, 2018**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 7, 2018 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

**CALL TO ORDER:**

Mayor Lam called the meeting to order at 7:07 p.m.

**FLAG SALUTE:**

The Monterey Park Fire Explorers

**ROLL CALL:**

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,  
Teresa Real Sebastian

Council Members Absent: None

Mayor Lam announced that he was not feeling well and left the meeting at 7:10 p.m.

**ALSO PRESENT:** City Manager Ron Bow, Assistant City Attorney Karl Berger, City Treasurer Joseph Leon, Fire Chief Scott Haberle, Police Chief Jim Smith, Director of Human Resources and Risk Management Tom Cody, Director of Community & Economic Development Michael Huntley, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, City Librarian Norma Arvizu, Assistant City Engineer Rey Alfonso, Community Service Officer Natalie Banks, Recreation Superintendent Robert Aguirre, Deputy Fire Marshal Chris Gomez, Deputy City Clerk Cindy Trang

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

Assistant City Attorney Berger announced that persons wishing to speak on the item regarding 1977 Saturn (OneLegacy) should attend the planning commission meeting so their testimony will be recorded.

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance  
the quality of life for our entire community

## **ORAL AND WRITTEN COMMUNICATIONS**

- Nancy Arcuri relayed her concerns on the proposed OneLegacy project.
- Michael Schlegel spoke about his concerns on the Monterey Pass Road bike project.
- Steven Scharf relayed his concerns on the proposed OneLegacy project.
- Kailia Garfield relayed her concerns on the proposed OneLegacy project.
- Maychelle Yee relayed her concerns on the proposed OneLegacy project speakers Cathy Chitjan and Randall Mikuriya gave their speaking time to Maychelle Yee.
- William Garfield relayed his concerns on the proposed OneLegacy project.
- Priscilla Isip relayed her concerns on the proposed OneLegacy project.
- David Isip relayed his concerns on the proposed OneLegacy project.
- Margaret Leung relayed her concerns on the proposed OneLegacy project.
- Dennis Lin relayed his concerns on the proposed OneLegacy project.
- Mitchell Ing spoke about his car accident that occurred 4 ½ years ago.
- Dave Jones relayed his concerns on the proposed OneLegacy project.

**Discussion:** The City Council directed City Manager Bow to televise the March 13, 2018 Planning Commission meeting.

### **1. PRESENTATIONS**

#### **1A. INTRODUCTION OF NEW RECREATION AND COMMUNITY SERVICES DIRECTOR, INEZ ALVAREZ**

City Manager Bow introduced Inez Alvarez, the new Recreation and Community Services Director. Recreation and Community Services Director Alvarez briefly introduced herself along with her experience and goals for the city.

**2. SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) - CONSENT CALENDAR ITEMS NO. 2A**

**2A. SUCCESSOR AGENCY (SA) MINUTES**

*See Successor Agency Minutes*

**This is the end of Successor Agency (SA) items**

**3. CITY OF MONTEREY PARK CONSENT CALENDAR CONSISTS OF ITEM NOS. 3A-3E**

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

**Action Taken:** The City Council approved and adopted Item Nos. 3A and 3B, expect for Items Nos. 3C, 3D, and 3E which were pulled for discussion and separate motions, and reading resolutions and ordinances by the title only and waiving further reading thereof.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Liang, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**3A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF MARCH 7, 2018**

Disbursements will be made from the funds referenced in the Resolution, attached to the staff report, in Warrants numbered 318035-318239 and e-Payables numbered 000870-000884.

**Action Taken:** The City Council approved payment of warrants and adopted Resolution No. 11992 allowing certain claims and demands per Warrant Register dated March 7, 2018 totaling \$1,537,600.69 specifying the funds out of which the same are to be paid on Consent Calendar.

**Resolution No. 11992**, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 7TH DAY OF MARCH 2018 TOTALING \$1,537,600.69 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

### **3B. CITY COUNCIL MINUTES**

Approve the minutes from the regular and special meeting of February 7, 2018.

**Action Taken:** The City Council approved the minutes from the regular and special meeting of February 7, 2018 on Consent Calendar.

### **3C. MAK FIRE PROTECTION ENGINEERING AND CONSULTING - ON-CALL PROFESSIONAL SERVICES AGREEMENT**

The Fire Department seeks City Council consideration to authorize the City Manager to execute a Professional Services Agreement with MAK Fire Protection Engineering & Consulting Inc. for on-call plan check services for the Fire Prevention Division for the period of March 8, 2018 to July 1, 2021.

#### **Public Speakers:**

- Mark Krikorian, proprietor for MAK Fire Protection Engineering, provided general information about the company and was available to answer questions.

**Action Taken:** The City Council authorized the City Manager to execute an agreement with MAK Fire Protection Engineering and Consulting, in a form approved by the City Attorney.

**Motion:** Moved by Council Member Liang and seconded by Council Member Real Sebastian, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

### **3D. AWARD OF CONTRACT TO KNORR SYSTEMS, INC., FOR THE REPLACEMENT OF THE POOL FILTERS AT BARNES PARK POOL AT A COST OF \$63,000 (PLUS A 15% CONTINGENCY OF \$9,450)**

At the June 19, 2013 City Council meeting, the Council adopted a resolution authorizing advertisement of the Barnes Pool Filters Replacement project.

On January 18, 2018, City advertised the bid package for the project. The project was advertised in the locally adjudicated newspapers and on eight electronic bid/plan rooms. Eight contractors requested a copy of the bid package and five of those contractors turned in bids on the project. On January 24, 2018, City held a mandatory pre-bid conference.



The lowest responsive bid was submitted by Knorr Systems, Inc. in the amount of \$63,000.00. Staff has conducted a bid analysis, and verified contractor's licensing, Department of Industrial Relations (DIR) registration, state and federal department files, and references of Knorr Systems, Inc. Staff found Knorr Systems, Inc. to be the lowest responsive bidder. The Bid Package submitted by Knorr Systems, Inc. and the bid analysis completed by staff are attached to the staff report.

The project involves removal and disposal of the existing 5-tank filter system and replacement with a new 5-tank filter system and related work. Existing filter system is over 20 years old and can no longer be repaired. The new filter system has 20 year warranty.

**CEQA (California Environmental Quality Act):**

Since the proposed work is a minor alteration to an existing public facility, this project is a Class 1 Categorically Exempt pursuant to the California Environmental Quality Act.

**Public Speakers:**

- Josh Lopez, representative of Knorr Systems, provided general information about the company and was available to answer questions.

**Action Taken:** The City Council awarded a contract for the replacement of the pool filters at Barnes Park Pool at a cost of \$63,000 (+ a 15% contingency of \$9,450 for a total of \$72,450) to Knorr Systems, Inc. to be funded out of the Barnes Pool Filter replacement account 0010-801-5004-91521 and Barnes Rehabilitation account 0010-801-5004-91738; and authorized the City Manager to execute a standard public works contract, in a form approved by the City Attorney, with Knorr Systems, Inc.

**Motion:** Moved by Council Member Liang and seconded by Council Member Ing, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**3E. LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (METRO)  
FOR THE NORTH ATLANTIC TRAFFIC SIGNAL SYNCHRONIZATION  
PROJECT**

Caltrans approved the repurposing and exchange of the City's SAFETA-LU Grant funds for Metro Proposition C funds toward the North Atlantic Traffic Signal Synchronization Project. The City awarded the construction contract for the project utilizing existing Measure R funds, anticipating that those funds would be backfilled with the Proposition C funds at a future date. To be reimbursed for the Measure R funds, the City must execute an Exchange Agreement with Metro.

**Action Taken:** The City Council authorized the City Manager to execute an agreement, in a form approved by the City Attorney, with the Los Angeles County Metropolitan Transit Authority (Metro) for the North Atlantic Traffic Signal Synchronization Project in the amount of \$431,952.00.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Liang, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**RECESSED AND RECONVENED**

The City Council recessed at 8:39 p.m. and reconvened with all council members present at 8:50 p.m.

**4. PUBLIC HEARING**

None.

**5. OLD BUSINESS**

**5A. FEE WAIVER REQUEST FOR FARMER'S MARKET MOVE AND ASSOCIATED  
WEEKLY FEES**

At the August 2, 2017 City Council meeting, City Council authorized the City Manager to change the location of the Farmer's Market so that it would not interfere with Library operations and would drastically reduce or eliminate expenses incurred on behalf of the market. Council also implemented a \$200 per week charge to Sprouts of Promise to cover staffing costs for set up and clean up of the Farmer's Market.

Since August, staff has been discussing the move with Sprouts of Promise (Farmer's Market contractor) and determined Elder Park's front parking lot would be a location better suited for the weekly market. The location would reduce staff time for set up and clean up, has all the operational elements in place and the surface is asphalt similar to the current location. Staff has also taken further steps to assist with cost reduction by potentially eliminating a previous rented storage unit and utilizing City storage at Elder; utilizing Elder community center restrooms instead of rentals; and reducing the staff cost to Sprouts of Promise from \$200 per week to \$100 per week. After making these arrangements and discussing with Sprouts of Promise, its representatives stated that the Board of Directors will not approve a weekly fee to the City for staffing.

**Recommendations:** (1) City absorb staffing costs associated with Farmer's Market set up and clean up each week (\$5,200 a year); (2) Cancel weekly Farmer's Market; (3) Take no action, keeping weekly fees in place; and (4) Take such additional, related, action that may be desirable.

**Action Taken:** The City Council directed staff to give Sprouts of Promise a 30-day notice of termination for their current contract with the city, and prepare a Request For Proposal (RFP) to obtain a new vendor that will provide a Farmers Market at George Elder Park. Directed staff to reach out to the Montebello Unified School District to work on executing a joint use agreement, for the use of Macy Intermediate School's parking lot. Once a new vendor is secured, conduct an outreach in the surrounding area of the proposed new location.

**Motion:** Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

## **6. NEW BUSINESS**

### **6A. ELECTIONS BY DISTRICT**

In December 2013, the City Council considered whether it was in the public interest to transition from the existing "at-large" election system to a "by-district" election. A copy of that staff report is attached, to the staff report, for reference.

Since then, the City of South Pasadena, along with many other cities, was forced to implement by-district elections under threat of litigation. Among other things, that City paid out \$30,000 in attorney's fees to an attorney threatening litigation if the City failed to implement by-district elections (see attached press report in the staff report). This was done notwithstanding the attorney knowing nothing about the voters within South Pasadena. Cities that fight can end up paying millions of dollars, e.g., Palmdale paid \$4.5 million in a settlement where plaintiffs alleged the city's at-large deprived them of their voting rights (see LA Times Article from 2015 attached to the staff report).

**Public Speakers:**

- Nancy Arcuri relayed her concerns on district elections.

**Recommendations:** (1) Receive and fill this report; (2) If desirable, authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with a qualified company to compile proposed voting district maps; (3) Direct the City Attorney to prepare a draft ordinance (and related documents) for consideration at a future City Council meeting to amend the Monterey Park Municipal Code ("MPMC") by transitioning from at-large to by-district elections; and (4) Taking such additional, related, action that may be desirable.

**Discussion:** The City Council directed the City Manager to retain a mapping expert to commence work on district mapping. Those services should not exceed \$50,000. By consensus, the City Council authorized City Manager Bow to make such budget allocations that are appropriate to implement this direction.

**6B. CODE ENFORCEMENT UPDATES INCLUDING AMENDMENTS TO NEIGHBORHOOD PRESERVATION REGULATIONS FOR COST RECOVERY AND CREATION OF THE NEIGHBORHOOD IMPROVEMENT AND COMMUNITY ENHANCEMENT (NICE) TASK FORCE**

In 2016, the City Council took a number of actions to strengthen the City's code enforcement tools. Among other things, the Council consolidated several different types of regulations into a new Title 4 of the Monterey Park Municipal Code ("MPMC") entitled "Neighborhood Preservation." It also adopted regulations designed to reduce boarding houses within the City's jurisdiction.

Since then, the City Council expressed its desire to further enhance the City by helping ensure substandard buildings (including boarding houses), blighted neighborhoods, and poorly maintained properties were improved to meet community expectations. This will certainly help to improve the City's ranking in Money Magazine as a Best Place to Live.

The draft ordinance and resolution are intended to implement additional tools for enhanced code enforcement. As explained below, the Neighborhood Improvement and Community Enhancement (NICE) task force is intended to foster cooperation between City departments to help alleviate ongoing public nuisances within the City. The draft ordinance gives the City additional abilities to recover enforcements costs from scofflaws who excessively drain public resources.

**CEQA (California Environmental Quality Act):**

The ordinance and resolution are exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because they consist only of revisions and clarifications to existing public nuisance codes and procedures related to such codes. Adopting the ordinance or resolution will not have the effect of deleting or substantially changing any regulatory standards or required findings. Adopting the ordinance and resolution are actions being taken for enhanced protection of the environment.

**Action Taken:** The City Council (1) waived first reading and introduce the draft ordinance amending the Monterey Park Municipal Code (“MPMC”) regulations regarding recovering costs for second responses to unruly gatherings and recurring nuisances, and creating a private right of action for violations of the City’s boarding house regulations; (2) scheduled second reading and potential adoption for March 16, 2016; (3) adopted Resolution No. 11993 creating the Neighborhood Improvement and Community Enhancement (NICE) task force; and (4) received and filed a report providing an overview of code enforcement activities as amended to the resolution: change the City Manager’s limitations for contracting rights from \$50,000 to \$25,000; change the time limit for finding temporary housing from 3 days to 24 hours; and replace the word “must” with “should” in Section 4(D)(4); and in the ordinance remove the provision regarding issuance of a notice for cost recovery, extend the effective day from 30 days to 60 days, and scheduled second reading for March 21, 2018.

**Motion:** Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**Resolution No. 11993, entitled:**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CREATE A MULTI-DEPARTMENT NEIGHBORHOOD IMPROVEMENT AND COMMUNITY ENHANCEMENT (“NICE”) TASK FORCE FOR PURPOSES OF FOCUSED CODE ENFORCEMENT WITHIN THE CITY OF MONTEREY PARK

**Draft Ordinance:**

AN ORDINANCE REPEALING MONTEREY PARK MUNICIPAL CODE CHAPTER 9.52; ADDING A NEW CHAPTER 4.40 ENTITLED "ENFORCEMENT AND RESPONSE COST RECOVERY"; REPEALING SECTION 12 OF ORDINANCE NO. 2118 AND ADDING A NEW SECTION 4.30.200 TO CREATE A PRIVATE RIGHT OF ACTION FOR ABATING UNLAWFUL BOARDING HOUSES

**7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**

**7A. A RESOLUTION DECLARING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH**

Adopt the resolution declaring the month of March as Women's History Month.

**Action Taken:** The City Council adopted Resolution No.11994 declaring the month of March as Women's History Month.

**Motion:** Moved by Council Member Real Sebastian and seconded by Council Member Liang, motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	Lam
Abstain:	Council Members:	None

**Resolution No. 11994, entitled:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH, A NATIONAL CELEBRATION THAT HIGHLIGHTS THE CONTRIBUTIONS OF WOMEN TO EVENTS IN HISTORY AND CONTEMPORARY SOCIETY

Council Member Real Sebastian announced that she attended a meeting held by the San Gabriel Valley Council of Governments.

Council Member Ing had nothing to report.

Council Member Liang stated that he attended a conference at the Women's Museum of California, in San Diego, and invited the community to visit the museum.

Mayor Pro Tem Chan stated that he will be attending the Congressional City Conference in Washington D.C. held by the National League of Cities.

**8. CLOSED SESSION**

None.

**ADJOURNMENT**

There being no further business for consideration, the meeting was adjourned at 10:58 p.m.

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Vincent D. Chang  
City Clerk





## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-C.**

**TO:** The Honorable Mayor and City Council  
**FROM:** Jim Smith, Chief of Police  
**SUBJECT:** National Public Safety Telecommunicators Week Resolution

### **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt a Resolution Declaring the week of April 8 through 14, 2018 to be National Public Safety Telecommunicators Week in Monterey Park; and
2. Take such additional, related, action that may be desirable.

### **EXECUTIVE SUMMARY:**

The Monterey Park Police Department is celebrating the week of April 8-14, 2018 as National Public Safety Telecommunicators Week. This week, sponsored by the Association of Public-Safety Communications Officials (APCO) International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life saving assistance. We are enlisting your support in the form of a resolution to honor these men and women for the work that they do every day to protect the residents of Monterey Park.

### **BACKGROUND:**

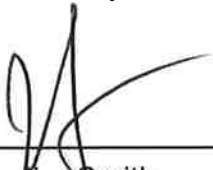
Historically, the Police Department recognizes and celebrates the hard work of these dedicated professionals. We are confident you will stand behind the commitment and devotion these men and women provide to ensure the safety and security of Monterey Park residents.

### **FISCAL IMPACT:**

None.



Respectfully submitted by:

  
\_\_\_\_\_  
Jim Smith  
Chief of Police

Prepared by:

  
\_\_\_\_\_  
Brent Archibald  
Lieutenant

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

**ATTACHMENT(S):**  
Resolution

# **ATTACHMENT 1**

## **Resolution**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY  
PARK DECLARING APRIL 8-14, 2018, NATIONAL PUBLIC SAFETY  
TELECOMMUNICATIONS WEEK IN MONTEREY PARK**

The City Council does resolve as follows:

Section 1. The City Council finds and declares that:

- A. The Monterey Park Police Department is celebrating the week of April 8-14, 2018 as National Public Safety Telecommunicators Week. This week, sponsored by the Association of Public-Safety Communications Officials (APCO) International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life saving assistance.
- B. Emergencies can occur at anytime that requires police, fire or emergency medical services. When an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property.
- C. The safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from residents who telephone the Monterey Park communications center. Public Safety Telecommunicators are the first and most critical contact our residents have with emergency services.
- D. Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety. Public Safety Telecommunicators of the Monterey Park Police Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients.
- E. Whereas each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.
- F. Historically, the Police Department recognizes and celebrates the hard work of these dedicated professionals. We are confident you will stand behind the commitment and devotion these men and women provide to ensure the safety and security of Monterey Park residents.

Section 2. The City Council further declares:

- A. The week of April 8 through 14, 2018 to be National Public Safety Telecommunicators Week in Monterey Park, in honor of the men and women whose diligence and professionalism keep our city and residents safe.

Section 3. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 4th day of April 2018.

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Stephen Lam, Mayor  
Monterey Park, California

ATTEST:

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Vincent D. Chang, City Clerk  
Monterey Park, California

State of California       )  
County of Los Angeles ) ss.  
City of Monterey Park    )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 4th day of April 2018, by the following vote:

Ayes:	Council Members:
Noes:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this 4th day of April 2018.

---

Vincent D. Chang, City Clerk  
Monterey Park, California



## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-D.**

**TO:** The Honorable Mayor and City Council  
**FROM:** Jim Smith, Chief of Police  
**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING WEDNESDAY, APRIL 25, 2018 TO BE "DENIM DAY MONTEREY PARK".

### **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt Resolution no. \_\_\_\_\_ declaring Wednesday, April 25, 2018 as "Denim Day Monterey Park"; and
2. Take such additional, related, action that may be desirable.

### **EXECUTIVE SUMMARY:**

"Denim Day" was established in 1999 after the California Legislature's Women's Caucus learned of a protest of a court decision that occurred in Italy. Enraged by the verdict and the judge's statement, within a matter of hours the women of the Italian Parliament launched into immediate action and protested by wearing jeans to work. This call to action motivated the California legislators to do the same. Peace Over Violence, a Los Angeles County based Sexual Assault and Domestic Violence victims' advocacy organization promoted the idea and the first "Denim Day-L.A." was created. "Denim Day" is now recognized throughout the United States.

### **BACKGROUND:**

The United States Government has declared April as "Sexual Assault Awareness Month." As part of "Sexual Assault Awareness Month," Peace Over Violence, a Los Angeles County based Sexual Assault and Domestic Violence Victim Advocacy Organization, has declared April 4, 2018 as "Denim Day" in Los Angeles County and the USA.

"Denim Day" was established in 1999 after the California Legislature's Women's Caucus learned of a protest of a court decision that occurred in Italy. The Italian Supreme Court overturned a rape conviction. In overturning the conviction, the Chief Judge stated that because the victim wore tight jeans she had to have helped the perpetrator remove them no longer making it rape but consensual sex.

Enraged by the verdict and the judge's statement, within a matter of hours the women of the Italian Parliament launched into immediate action and protested by wearing jeans to work. This call to action motivated the California legislators to do the same. Peace Over Violence, a Los Angeles County based Sexual Assault and Domestic Violence victims' advocacy organization promoted the idea and the first "Denim Day-L.A." was created. "Denim Day" is now recognized throughout the United States.

The Monterey Park City Council first recognized "Denim Day" in 2011. On "Denim Day", City Employees are encouraged to wear jeans to work as a show of support for Sexual Assault victims and as a sign that Sexual Assault will not be tolerated in our society. Businesses throughout the city are encouraged to participate as well.

Respectfully submitted and  
approved by:

Prepared by:



Ron Bow  
City Manager



Jim Smith  
Chief of Police

**ATTACHMENT 1:** Resolution

# **ATTACHMENT 1**

## **Resolution**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MONTEREY PARK, CALIFORNIA DECLARING WEDNESDAY,  
APRIL 25, 2018 TO BE "DENIM DAY MONTEREY PARK",  
SUPPORTING SEXUAL ABUSE AWARENESS AND THE BELIEF  
THAT THERE IS NO EXCUSE AND NEVER AN INVITATION TO  
RAPE.**

**WHEREAS**, the United States Government has declared April as "Sexual Assault Awareness Month" and Peace Over Violence, a Los Angeles County based Sexual Assault and Domestic Violence Victim Advocacy Organization, has declared April 25, 2018 as "Denim Day" in Los Angeles County and the USA; and,

**WHEREAS**, "Denim Day" is intended to draw attention to the fact that rape and sexual assault remain serious issues in our society; and,

**WHEREAS**, harmful attitudes about rape and sexual assault allow these crimes to persist and allow victims and survivors to be revictimized; and,

**WHEREAS**, "Denim Day" was instituted to call attention to misconceptions and misinformation about rape and sexual assault, and the problem that many in society remain disturbingly uninformed with respect to issues of sexual assault and rape; and,

**WHEREAS**, with proper education on the matter, there is compelling evidence that we can be successful in reducing incidents of this physically and psychologically damaging crime; and,

**WHEREAS**, the members of the Monterey Park City Council strongly support the efforts of Peace Over Violence to educate people in our community about the true impact of rape and sexual assault in Southern California.

**WHEREAS**, in future years, members of the Monterey Park City Council and City Staff will be encouraged to wear jeans the day of the City Council meeting when "Denim Day" resolutions are on the agenda for the City Council approval to bring about awareness of the upcoming "Denim Day" observance

**NOW, THEREFORE**, the City Council of the City of Monterey Park does hereby resolve, declare, and determine and order as follows:

SECTION 1. April 25, 2018 is "Denim Day" in the City of Monterey Park. That City Employees, along with residents, business persons, students, and visitors to the City are urged to wear jeans April 25, 2018 to help communicate the message that there is "no excuse and never an invitation to rape."

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED, AND ADOPTED** this 4<sup>th</sup> day of April 2018.



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Stephen Lam  
Mayor  
Monterey Park, California

ATTEST:

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Vincent D. Chang, City Clerk  
Monterey Park, California

RESOLUTION NO.

Page 3

State of California       )  
County of Los Angeles ) ss.  
City of Monterey Park   )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No.                was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 4th day of April, 2018, by the following vote:

Ayes:  
Noyes:  
Absent:  
Abstain:

Dated this 4<sup>th</sup> day of April, 2018.

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Vincent D. Chang, City Clerk  
Monterey Park, California



# City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** Consent Calendar  
Agenda Item 3-E.

**TO:** The Honorable Mayor and City Council  
**FROM:** Jim Smith, Chief of Police  
**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING SUPPORTING THE "REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018."

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt Resolution no. \_\_\_\_\_ declaring support for the "Reducing Crime and Keeping California Safe Act of 2018"; and
2. Take such additional, related, action that may be desirable.

## **EXECUTIVE SUMMARY:**

Since 2011, the State of California has undergone a series of major reforms in our criminal justice system to include Assembly Bill 109 (2011), Proposition 47 (2014), and Proposition 57 (2016). In general, the overall intent of these measures has been to increase opportunities for rehabilitation while lowering recidivism and incarceration rates. However, the cumulative effect has created negative impacts to many California communities, including Monterey Park. The "Reducing Crime and Keeping California Safe Act of 2018" proposed by a coalition of current and former Elected Officials, Business and Retail Associations, Public Safety groups including the California Police Chiefs Association, Association of Deputy District Attorneys, and Association for Los Angeles Deputy Sheriffs (ALADS).

## **BACKGROUND:**

In 2011, the California Legislature enacted Assembly Bill (AB) 109, Public Safety Realignment, in order to comply with a federal court order to reduce the California prison population to 137.5 percent of its design capacity. AB 109 aimed to accomplish this by altering the criminal justice system; changing the definition of a felony, shifting housing for low level offenders from state prisons to county jails, and transferring the community supervision of designated parolees from the California Department of Corrections and Rehabilitation (CDCR) to local county probation departments.

The passage of Proposition 47, The Safe Neighborhoods and Schools Act, in November of 2014, was intended, in part, as a follow-up policy to AB 109 to further reduce prison spending and the state's prison population. This resulted in reduced penalties for certain "non-serious, non-violent crimes" from felonies to misdemeanors; allowed certain incarcerated offenders, for one or more of the specified crimes, to apply for a reduced sentence; and created a Safe Neighborhoods and Schools Fund that would receive appropriations based on the state savings resulting from the initiative's passage.

In November of 2016, Proposition 57 passed. Proposition 57 decreases the length of incarceration time for many State prisoners, allows for prisoners to be eligible for parole sooner, and reduces the eligibility for juvenile offenders to be tried as adults. Concerned with the impacts of this law, the Monterey Park City Council at its November 2, 2016, meeting unanimously voted to oppose Proposition 57 (Resolution No. 11876).

Communities around the state and around our county, including Monterey Park, have seen significant increases in property crimes and/or violent crimes since the passing of these reform measures.

The changes to California laws resulted in:


- Dangerous criminals who had been convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "non-violent offenders", as the law fails to define these crimes as "violent;"
- Violent offenders to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer Keith Boyer;
- Individuals who steal repeatedly face few consequences, regardless of their criminal record or how many times they steal; and
- Unintentionally eliminating DNA collection for theft and drug crimes.

The Reducing Crime and Keep California Safe Act of 2018 or "Keep California Safe Act", seeks to address the unintended consequences of previous California legislation and increase opportunities for rehabilitation, while lowering recidivism and incarceration rates. Specifically, this measure:

- Reforms the law so felons who violate the terms of their release be brought back to court and held accountable for such violations;
- Increases penalties for those who repeatedly steal or who are part of organized theft rings.
- Enacts reforms for those who repeatedly steal to support their drug problem to enter into existing drug treatment programs;
- Restores DNA collection for persons convicted of theft and drug offenses; and
- Does not affect legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted, or are found innocent.

For these reasons, staff recommends joining other California cities, including Whittier, Alhambra, Gardena, Huntington Park, and Bell Gardens, in support of the Keeping California Safe initiative to show support in addressing the unintended consequences of previous California legislation.

Respectfully submitted by:

  
\_\_\_\_\_  
Jim Smith  
Chief of Police

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

**ATTACHMENTS:**

1. Keeping California Safe Act of 2018
2. Resolution

**ATTACHMENT 1**  
**Keeping California Safe Act of 2018**

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

**(17-0044.) RESTRICTS PAROLE FOR NON-VIOLENT OFFENDERS. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. INITIATIVE STATUTE.** Imposes restrictions on parole program for non-violent offenders who have completed the full term for their primary offense. Expands list of offenses that disqualify an inmate from this parole program. Changes standards and requirements governing parole decisions under this program. Authorizes felony charges for specified theft crimes currently chargeable only as misdemeanors, including some theft crimes where the value is between \$250 and \$950. Requires persons convicted of specified misdemeanors to submit to collection of DNA samples for state database. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased state and local correctional costs likely in the tens of millions of dollars annually, primarily related to increases in penalties for certain theft-related crimes and the changes to the nonviolent offender release consideration process. Increased state and local court-related costs of around a few million dollars annually related to processing probation revocations and additional felony theft filings. Increased state and local law enforcement costs not likely to exceed a couple million dollars annually related to collecting and processing DNA samples from additional offenders.

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of the County (or City and County) referenced on the signature page of this petition, hereby propose amendments to the California Penal Code relating to parole, serial theft, and DNA collection from convicted criminals, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law. The proposed statutory amendments (full title and text of the measure) read as follows:

### SEC. 1. TITLE

This act shall be known and may be cited as the Reducing Crime and Keeping California Safe Act of 2018.

### SEC. 2. PURPOSES

This measure will fix three related problems created by recent laws that have threatened the public safety of Californians and their children from violent criminals. This measure will:

- A. Reform the parole system so violent felons are not released early from prison, strengthen oversight of post release community supervision and tighten penalties for violations of terms of post release community supervision;
- B. Reform theft laws to restore accountability for serial thieves and organized theft rings; and
- C. Expand DNA collection from persons convicted of drug, theft and domestic violence related crimes to help solve violent crimes and exonerate the innocent.

### SEC. 3. FINDINGS AND DECLARATIONS

#### A. Prevent Early Release of Violent Felons

1. Protecting every person in our state, including our most vulnerable children, from violent crime is of the utmost importance. Murderers, rapists, child molesters and other violent criminals should not be released early from prison.
2. Since 2014, California has had a larger increase in violent crime than the rest of the United States. Since 2013, violent crime in Los Angeles has increased 69.5%. Violent crime in Sacramento rose faster during the first six months of 2015 than in any of the 25 largest U.S. cities tracked by the FBI.
3. Recent changes to parole laws allowed the early release of dangerous criminals by the law's failure to define certain crimes as "violent." These changes allowed individuals convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "non-violent offenders."
4. As a result, these so-called "non-violent" offenders are eligible for early release from prison after serving only a fraction of the sentence ordered by a judge.
5. Violent offenders are also being allowed to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer, Keith Boyer.
6. Californians need better protection from such violent criminals.
7. Californians need better protection from felons who repeatedly violate the terms of their post release community supervision.
8. This measure reforms the law so felons who violate the terms of their release can be brought back to court and held accountable for such violations.
9. Californians need better protection from such

violent criminals. This measure reforms the law to define such crimes as "violent felonies" for purposes of early release.

10. Nothing in this act is intended to create additional "strike" offenses which would increase the state prison population.

11. Nothing in this act is intended to affect the ability of the California Department of Corrections and Rehabilitation to award educational and merit credits.

B. Restore Accountability for Serial Theft and Organized Theft Rings

1. Recent changes to California law allow individuals who steal repeatedly to face few consequences, regardless of their criminal record or how many times they steal.
2. As a result, between 2014 and 2016, California had the 2<sup>nd</sup> highest increase in theft and property crimes in the United States, while most states have seen a steady decline. According to the California Department of Justice, the value of property stolen in 2015 was \$2.5 billion with an increase of 13 percent since 2014, the largest single-year increase in at least ten years.

3. Individuals who repeatedly steal often do so to support their drug habit. Recent changes to California law have reduced judges' ability to order individuals convicted of repeated theft crimes into effective drug treatment programs.

4. California needs stronger laws for those who are repeatedly convicted of theft related crimes, which will encourage those who repeatedly steal to support their drug problem to enter into existing drug treatment programs. This measure enacts such reforms.

C. Restore DNA Collection to Solve Violent Crime

1. Collecting DNA from criminals is essential to solving violent crimes. Over 450 violent crimes including murder, rape and robbery have gone unsolved because DNA is being collected from fewer criminals.

2. DNA collected in 2015 from a convicted child molester solved the rape-murders of two six-year-old boys that occurred three decades ago in Los Angeles County. DNA collected in 2016 from an individual caught driving a stolen car solved the 2012 San Francisco Bay Area rape-murder of an 83-year-old woman.

3. Recent changes to California law unintentionally eliminated DNA collection for theft and drug crimes. This measure restores DNA collection from persons convicted for such offenses.

4. Permitting collection of more DNA samples will help identify suspects, clear the innocent and free the wrongly convicted.

5. This measure does not affect existing legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

### SEC. 4. PAROLE CONSIDERATION

Section 3003 of the Penal Code is amended to read:

[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) Except as otherwise provided in this section, an inmate who is released on parole or postrelease supervision as provided by Title 2.05 (commencing with Section 3450) shall be returned to the county that was the last legal residence of the inmate prior to his or her incarceration. For purposes of this subdivision, "last legal residence" shall not be construed to mean the county wherein the inmate committed an offense while confined in a state prison or local jail facility or while confined for treatment in a state hospital.

(b) Notwithstanding subdivision (a), an inmate may be returned to another county if that would be in the best interests of the public. If the Board of Parole Hearings setting the conditions of parole for inmates sentenced pursuant to subdivision (b) of Section 1168, as determined by the parole consideration panel, or the Department of Corrections and Rehabilitation setting the conditions of parole for inmates sentenced pursuant to Section 1170, decides on a return to another county, it shall place its reasons in writing in the parolee's permanent record and include these reasons in the notice to the sheriff or chief of police pursuant to Section 3058.6. In making its decision, the paroling authority shall consider, among others, the following factors, giving the greatest weight to the protection of the victim and the safety of the community:

- (1) The need to protect the life or safety of a victim, the parolee, a witness, or any other person.
- (2) Public concern that would reduce the chance that the inmate's parole would be successfully completed.
- (3) The verified existence of a work offer, or an educational or vocational training program.
- (4) The existence of family in another county with whom the inmate has maintained strong ties and whose support would increase the chance that the inmate's parole would be successfully completed.
- (5) The lack of necessary outpatient treatment programs for parolees receiving treatment pursuant to Section 2960.
- (c) The Department of Corrections and Rehabilitation, in determining an out-of-county commitment, shall give priority to the safety of the community and any witnesses and victims.
- (d) In making its decision about an inmate who participated in a joint venture program pursuant to Article 1.5 (commencing with Section 2717.1) of Chapter 5, the paroling authority shall give serious consideration to releasing him or her to the county where the joint venture program employer is located if that employer states to the paroling authority that he or she intends to employ the inmate upon release.
- (e)(1) The following information, if available, shall be released by the Department of Corrections and Rehabilitation to local law enforcement agencies regarding a paroled inmate or inmate placed on postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450) who is released in their jurisdictions:
  - (A) Last, first, and middle names.
  - (B) Birth date.
  - (C) Sex, race, height, weight, and hair and eye color.
  - (D) Date of parole or placement on postrelease community supervision and discharge.



(E) Registration status, if the inmate is required to register as a result of a controlled substance, sex, or arson offense.

(F) California Criminal Information Number, FBI number, social security number, and driver's license number.

(G) County of commitment.

(H) A description of scars, marks, and tattoos on the inmate.

(I) Offense or offenses for which the inmate was convicted that resulted in parole or postrelease community supervision in this instance.

(J) Address, including all of the following information:

(i) Street name and number. Post office box numbers are not acceptable for purposes of this subparagraph.

(ii) City and ZIP Code.

(iii) Date that the address provided pursuant to this subparagraph was proposed to be effective.

(K) Contact officer and unit, including all of the following information:

(i) Name and telephone number of each contact officer.

(ii) Contact unit type of each contact officer such as units responsible for parole, registration, or county probation.

(L) A digitized image of the photograph and at least a single digit fingerprint of the parolee.

(M) A geographic coordinate for the inmate's residence location for use with a Geographical Information System (GIS) or comparable computer program.

**(N) Copies of the record of supervision during any prior period of parole.**

(2) Unless the information is unavailable, the Department of Corrections and Rehabilitation shall electronically transmit to the county agency identified in subdivision (a) of Section 3451 the inmate's tuberculosis status, specific medical, mental health, and outpatient clinic needs, and any medical concerns or disabilities for the county to consider as the offender transitions onto postrelease community supervision pursuant to Section 3450, for the purpose of identifying the medical and mental health needs of the individual. All transmissions to the county agency shall be in compliance with applicable provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Public Law 104-191), the federal Health Information Technology for Clinical Health Act (HITECH) (Public Law 111-005), and the implementing of privacy and security regulations in Parts 160 and 164 of Title 45 of the Code of Federal Regulations. This paragraph shall not take effect until the Secretary of the United States Department of Health and Human Services, or his or her designee, determines that this provision is not preempted by HIPAA.

(3) Except for the information required by paragraph (2), the information required by this subdivision shall come from the statewide parolee database. The information obtained from each source shall be based on the same timeframe.

(4) All of the information required by this subdivision shall be provided utilizing a computer-to-computer transfer in a format usable by a desktop computer system. The transfer of this information shall be continually available to local law enforcement agencies upon request.

(5) The unauthorized release or receipt of the information described in this subdivision is a violation of Section 11143.

**(f) Notwithstanding any other law, an inmate who is released on parole shall not be returned to a location within 35 miles of the actual residence of a victim of, or a witness to, a violent felony as defined in paragraphs (1) to (7), inclusive, and paragraph (16) of subdivision (c) of Section 667.5 or a felony in which the defendant inflicts great bodily injury on a person other than an accomplice that has been charged and proved as provided for in Section 12022.53, 12022.7, or 12022.9, if the victim or witness has requested additional distance in the placement of the inmate on parole, and if the Board of Parole Hearings or the Department of Corrections and Rehabilitation finds that there is a need to protect the life, safety, or well-being of a victim or witness, the victim or witness, an inmate who is released on parole shall not be returned to a location within 35 miles of the actual residence of a victim of, or a witness to, any of the following crimes:**

**(1) A violent felony as defined subdivision (c) of Section 667.5 or subdivision (a) of Section 3040.1.**

**(2) A felony in which the defendant inflicts great bodily injury on a person, other than an accomplice, that has been charged and proved as provided for in Section 12022.53, 12022.7, or 12022.9.**

(g) Notwithstanding any other law, an inmate who is released on parole for a violation of Section 288 or 288.5 whom the Department of Corrections and Rehabilitation determines poses a high risk to the public

shall not be placed or reside, for the duration of his or her parole, within one-half mile of a public or private school including any or all of kindergarten and grades 1 to 12, inclusive.

(h) Notwithstanding any other law, an inmate who is released on parole or postrelease community supervision for a stalking offense shall not be returned to a location within 35 miles of the victim's or witness' actual residence or place of employment if the victim or witness has requested additional distance in the placement of the inmate on parole or postrelease community supervision, and if the Board of Parole Hearings or the Department of Corrections and Rehabilitation, or the supervising county agency, as applicable, finds that there is a need to protect the life, safety, or well-being of the victim.

If an inmate who is released on postrelease community supervision cannot be placed in his or her county of last legal residence in compliance with this subdivision, the supervising county agency may transfer the inmate to another county upon approval of the receiving county. (i) The authority shall give consideration to the equitable distribution of parolees and the proportion of out-of-county commitments from a county compared to the number of commitments from that county when making parole decisions.

(j) An inmate may be paroled to another state pursuant to any other law. The Department of Corrections and Rehabilitation shall coordinate with local entities regarding the placement of inmates placed out of state on postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450).

(k)(1) Except as provided in paragraph (2), the Department of Corrections and Rehabilitation shall be the agency primarily responsible for, and shall have control over, the program, resources, and staff implementing the Law Enforcement Automated Data System (LEADS) in conformance with subdivision (e). County agencies supervising inmates released to postrelease community supervision pursuant to Title 2.05 (commencing with Section 3450) shall provide any information requested by the department to ensure the availability of accurate information regarding inmates released from state prison. This information may include **all records of supervision**, the issuance of warrants, revocations, or the termination of postrelease community supervision. On or before August 1, 2011, county agencies designated to supervise inmates released to postrelease community supervision shall notify the department that the county agencies have been designated as the local entity responsible for providing that supervision.

(2) Notwithstanding paragraph (1), the Department of Justice shall be the agency primarily responsible for the proper release of information under LEADS that relates to fingerprint cards.

(l) In addition to the requirements under subdivision (k), the Department of Corrections and Rehabilitation shall submit to the Department of Justice data to be included in the supervised release file of the California Law Enforcement Telecommunications System (CLETS) so that law enforcement can be advised through CLETS of all persons on postrelease community supervision and the county agency designated to provide supervision. The data required by this subdivision shall be provided via electronic transfer.

**Section 3040.1 is added to the Penal Code to read:**

(a) For purposes of early release or parole consideration under the authority of Section 32 of Article I of the Constitution, Sections 12838.4 and 12838.5 of the Government Code, Sections 3000.1, 3041.5, 3041.7, 3052, 5000, 5054, 5055, 5076.2 of this Code and the rulemaking authority granted by Section 5058 of this Code, the following shall be defined as "violent felony offenses":

(1) Murder or voluntary manslaughter;

(2) Mayhem;

(3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262;

(4) Sodomy as defined in subdivision (c) or (d) of Section 286;

(5) Oral copulation as defined in subdivision (c) or (d) of Section 288a;

(6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288;

(7) Any felony punishable by death or imprisonment in the state prison for life;

(8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in

subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55;

(9) Any robbery;

(10) Arson, in violation of subdivision (a) or (b) of Section 451;

(11) Sexual penetration as defined in subdivision (a) or (j) of Section 289;

(12) Attempted murder;

(13) A violation of Section 18745, 18750, or 18755;

(14) Kidnapping;

(15) Assault with the intent to commit a specified felony, in violation of Section 220;

(16) Continuous sexual abuse of a child, in violation of Section 288.5;

(17) Carjacking, as defined in subdivision (a) of Section 215;

(18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1;

(19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22;

(20) Threats to victims or witnesses, as defined in subdivision (c) of Section 136.1;

(21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary;

(22) Any violation of Section 12022.53;

(23) A violation of subdivision (b) or (c) of Section 11418;

(24) Solicitation to commit murder;

(25) Felony assault with a firearm in violation of subsections (a)(2) and (b) of Section 245;

(26) Felony assault with a deadly weapon in violation of paragraph (1) of subdivision (a) of Section 245;

(27) Felony assault with a deadly weapon upon the person of a peace officer or firefighter in violation of subdivisions (c) and (d) of Section 245;

(28) Felony assault by means of force likely to produce great bodily injury in violation of paragraph (4) of subdivision (a) of Section 245;

(29) Assault with caustic chemicals in violation of Section 244;

(30) False imprisonment in violation of Section 210.5;

(31) Felony discharging a firearm in violation of Section 246;

(32) Discharge of a firearm from a motor vehicle in violation of subsection (c) of Section 26100;

(33) Felony domestic violence resulting in a traumatic condition in violation of Section 273.5;

(34) Felony use of force or threats against a witness or victim of a crime in violation of Section 140;

(35) Felony resisting a peace officer and causing death or serious injury in violation of Section 148.10;

(36) A felony hate crime punishable pursuant to Section 422.7;

(37) Felony elder or dependent adult abuse in violation of subdivision (b) of Section 368;

(38) Rape in violation of paragraphs (1), (3), or (4) of subdivision (a) of Section 261;

(39) Rape in violation of Section 262;

(40) Sexual penetration in violation of subdivision (b), (d) or (e) of Section 289;

(41) Sodomy in violation of subdivision (f), (g), or (i) of Section 286;

(42) Oral copulation in violation of subdivision (f), (g), or (i) of Section 288a;

(43) Abduction of a minor for purposes of prostitution in violation of Section 267;

(44) Human trafficking in violation of subdivision (a), (b), or (c) of Section 236.1;

(45) Child abuse in violation of Section 273ab;

(46) Possessing, exploding, or igniting a destructive device in violation of Section 18740;

(47) Two or more violations of subsection (c) of Section 451;

(48) Any attempt to commit an offense described in this subdivision;

(49) Any felony in which it is pled and proven that the Defendant personally used a dangerous or deadly weapon;

(50) Any offense resulting in lifetime sex offender registration pursuant to Sections 290 through 290.009.

(51) Any conspiracy to commit an offense described in this Section.

(b) The provisions of this section shall apply to any inmate serving a custodial prison sentence on or after the effective date of this section, regardless of when the sentence was imposed.

**Section 3040.2 is added to the Penal Code to read:**

(a) Upon conducting a nonviolent offender parole consideration review, the hearing officer for the Board of Parole



Hearings shall consider all relevant, reliable information about the inmate.

(b) The standard of review shall be whether the inmate will pose an unreasonable risk of creating victims as a result of felonious conduct if released from prison.

(c) In reaching this determination, the hearing officer shall consider the following factors:

- (1) Circumstances surrounding the current conviction;
- (2) The inmate's criminal history, including involvement in other criminal conduct, both juvenile and adult, which is reliably documented;
- (3) The inmate's institutional behavior including both rehabilitative programming and institutional misconduct;
- (4) Any input from the inmate, any victim, whether registered or not at the time of the referral, and the prosecuting agency or agencies;
- (5) The inmate's past and present mental condition as documented in records in the possession of the Department of Corrections and Rehabilitation;
- (6) The inmate's past and present attitude about the crime;
- (7) Any other information which bears on the inmate's suitability for release.
- (d) The following circumstances shall be considered by the hearing officer in determining whether the inmate is unsuitable for release:
  - (1) Multiple victims involved in the current commitment offense;
  - (2) A victim was particularly vulnerable due to age or physical or mental condition;
  - (3) The inmate took advantage of a position of trust in the commission of the crime;
  - (4) The inmate was armed with or used a firearm or other deadly weapon in the commission of the crime;
  - (5) A victim suffered great bodily injury during the commission of the crime;
  - (6) The inmate committed the crime in association with a criminal street gang;
  - (7) The inmate occupied a position of leadership or dominance over other participants in the commission of the crime, or the inmate induced others to participate in the commission of the crime;
  - (8) During the commission of the crime, the inmate had a clear opportunity to cease but instead continued;
  - (9) The inmate has engaged in other reliably documented criminal conduct which was an integral part of the crime for which the inmate is currently committed to prison;
  - (10) The manner in which the crime was committed created a potential for serious injury to persons other than the victim of the crime;
  - (11) The inmate was on probation, parole, post release community supervision, mandatory supervision or was in custody or had escaped from custody at the time of the commitment offense;
  - (12) The inmate was on any form of pre- or post-conviction release at the time of the commitment offense;
  - (13) The inmate's prior history of violence, whether as a juvenile or adult;
  - (14) The inmate has engaged in misconduct in prison or jail;
  - (15) The inmate is incarcerated for multiple cases from the same or different counties or jurisdictions.
- (e) The following circumstances shall be considered by the hearing officer in determining whether the inmate is suitable for release:
  - (1) The inmate does not have a juvenile record of assaulting others or committing crimes with a potential of harm to victims;
  - (2) The inmate lacks any history of violent crime;
  - (3) The inmate has demonstrated remorse;
  - (4) The inmate's present age reduces the risk of recidivism;
  - (5) The inmate has made realistic plans if released or has developed marketable skills that can be put to use upon release;
  - (6) The inmate's institutional activities demonstrate an enhanced ability to function within the law upon release;
  - (7) The inmate participated in the crime under partially excusable circumstances which do not amount to a legal defense;
  - (8) The inmate had no apparent predisposition to commit the crime but was induced by others to participate in its commission;
  - (9) The inmate has a minimal or no criminal history;
  - (10) The inmate was a passive participant or played a minor role in the commission of the crime;
  - (11) The crime was committed during or due to an unusual situation unlikely to reoccur.

**Section 3040.3 is added to the Penal Code to read:**

(a) An inmate whose current commitment includes a concurrent, consecutive or stayed sentence for an offense or allegation defined as violent by subdivision (c) of

Section 667.5 or 3040.1 shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(b) An inmate whose current commitment includes an indeterminate sentence shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(c) An inmate whose current commitment includes any enhancement which makes the underlying offense violent pursuant to subdivision (c) of Section 667.5 shall be deemed a violent offender for purposes of Section 32 of Article I of the Constitution.

(d) For purposes of Section 32 of Article I of the Constitution, the "full term" of the "primary offense" shall be calculated based only on actual days served on the commitment offense.

**Section 3040.4 is added to the Penal Code to read:**

Pursuant to subsection (b) of Section 28 of Article I of the Constitution, the Department shall give reasonable notice to victims of crime prior to an inmate being reviewed for early parole and release. The Department shall provide victims with the right to be heard regarding early parole consideration and to participate in the review process. The Department shall consider the safety of the victims, the victims' family, and the general public when making a determination on early release.

(a) Prior to conducting a review for early parole, the Department shall provide notice to the prosecuting agency or agencies and to registered victims, and shall make reasonable efforts to locate and notify victims who are not registered.

(b) The prosecuting agency shall have the right to review all information available to the hearing officer including, but not limited to the inmate's central file, documented adult and juvenile criminal history, institutional behavior including both rehabilitative programming and institutional misconduct, any input from any person or organization advocating on behalf of the inmate, and any information submitted by the public.

(c) A victim shall have a right to submit a statement for purposes of early parole consideration, including a confidential statement.

(d) All prosecuting agencies, any involved law enforcement agency, and all victims, whether or not registered, shall have the right to respond to the board in writing.

(e) Responses to the Board by prosecuting agencies, law enforcement agencies, and victims must be made within 90 days of the date of notification of the inmate's eligibility for early parole review or consideration.

(f) The Board shall notify the prosecuting agencies, law enforcement agencies, and the victims of the Nonviolent Offender Parole decision within 10 days of the decision being made.

(g) Within 30 days of the notice of the final decision concerning Nonviolent Offender Parole Consideration, the inmate and the prosecuting agencies may request review of the decision.

(h) If an inmate is denied early release under the Nonviolent Offender Parole provisions of Section 32 of Article I of the Constitution, the inmate shall not be eligible for early Nonviolent Offender parole consideration for two (2) calendar years from the date of the final decision of the previous denial.

**Section 3041 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a)(1) In the case of any inmate sentenced pursuant to any law, other than Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, the Board of Parole Hearings shall meet with each inmate during the sixth year before the inmate's minimum eligible parole date for the purposes of reviewing and documenting the inmate's activities and conduct pertinent to parole eligibility. During this consultation, the board shall provide the inmate information about the parole hearing process, legal factors relevant to his or her suitability or unsuitability for parole, and individualized recommendations for the inmate regarding his or her work assignments, rehabilitative programs, and institutional behavior. Within 30 days following the consultation, the board shall issue its positive and negative findings and recommendations to the inmate in writing.

(2) One year before the inmate's minimum eligible parole date a panel of two or more commissioners or deputy commissioners shall again meet with the inmate and shall normally grant parole as provided in Section 3041.5. No more than one member of the panel shall be a deputy commissioner.

(3) In the event of a tie vote, the matter shall be referred for an en banc review of the record that was before the panel that rendered the tie vote. Upon en banc review, the

board shall vote to either grant or deny parole and render a statement of decision. The en banc review shall be conducted pursuant to subdivision (c).

(4) Upon a grant of parole, the inmate shall be released subject to all applicable review periods. However, an inmate shall not be released before reaching his or her minimum eligible parole date as set pursuant to Section 3046 unless the inmate is eligible for earlier release pursuant to his or her youth offender parole eligibility date or elderly parole eligibility date.

(5) At least one commissioner of the panel shall have been present at the last preceding meeting, unless it is not feasible to do so or where the last preceding meeting was the initial meeting. Any person on the hearing panel may request review of any decision regarding parole for an en banc hearing by the board. In case of a review, a majority vote in favor of parole by the board members participating in an en banc review is required to grant parole to any inmate.

(b)(1) The panel or the board, sitting en banc, shall grant parole to an inmate unless it determines that the gravity of the current convicted offense or offenses, or the timing and gravity of current or past convicted offense or offenses, is such that consideration of the public safety requires a more lengthy period of incarceration for this individual. The panel or the board, sitting en banc, shall consider the entire criminal history of the inmate, including all current or past convicted offenses, in making this determination.

(2) After July 30, 2001, any decision of the parole panel finding an inmate suitable for parole shall become final within 120 days of the date of the hearing. During that period, the board may review the panel's decision. The panel's decision shall become final pursuant to this subdivision unless the board finds that the panel made an error of law, or that the panel's decision was based on an error of fact, or that new information should be presented to the board, any of which when corrected or considered by the board has a substantial likelihood of resulting in a substantially different decision upon a rehearing. In making this determination, the board shall consult with the commissioners who conducted the parole consideration hearing.

(3) A decision of a panel shall not be disapproved and referred for rehearing except by a majority vote of the board, sitting en banc, following a public meeting.

(c) For the purpose of reviewing the suitability for parole of those inmates eligible for parole under prior law at a date earlier than that calculated under Section 1170.2, the board shall appoint panels of at least two persons to meet annually with each inmate until the time the person is released pursuant to proceedings or reaches the expiration of his or her term as calculated under Section 1170.2.

(d) It is the intent of the Legislature that, during times when there is no backlog of inmates awaiting parole hearings, life parole consideration hearings, or life rescission hearings, hearings will be conducted by a panel of three or more members, the majority of whom shall be commissioners. The board shall report monthly on the number of cases where an inmate has not received a completed initial or subsequent parole consideration hearing within 30 days of the hearing date required by subdivision (a) of Section 3041.5 or paragraph (2) of subdivision (b) of Section 3041.5, unless the inmate has waived the right to those timeframes. That report shall be considered the backlog of cases for purposes of this section, and shall include information on the progress toward eliminating the backlog, and on the number of inmates who have waived their right to the above timeframes. The report shall be made public at a regularly scheduled meeting of the board and a written report shall be made available to the public and transmitted to the Legislature quarterly.

(e) For purposes of this section, an en banc review by the board means a review conducted by a majority of commissioners holding office on the date the matter is heard by the board. An en banc review shall be conducted in compliance with the following:

- (1) The commissioners conducting the review shall consider the entire record of the hearing that resulted in the tie vote.
- (2) The review shall be limited to the record of the hearing. The record shall consist of the transcript or audiotape of the hearing, written or electronically recorded statements actually considered by the panel that produced the tie vote, and any other material actually considered by the panel. New evidence or comments shall not be considered in the en banc proceeding.
- (3) The board shall separately state reasons for its decision to grant or deny parole.
- (4) A commissioner who was involved in the tie vote shall be recused from consideration of the matter in the

en banc review.

**Section 3454 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) Each supervising county agency, as established by the county board of supervisors pursuant to subdivision (a) of Section 3451, shall establish a review process for assessing and refining a person's program of postrelease supervision. Any additional postrelease supervision conditions shall be reasonably related to the underlying offense for which the offender spent time in prison, or to the offender's risk of recidivism, and the offender's criminal history, and be otherwise consistent with law.

(b) Each county agency responsible for postrelease supervision, as established by the county board of supervisors pursuant to subdivision (a) of Section 3451, may determine additional appropriate conditions of supervision listed in Section 3453 consistent with public safety, including the use of continuous electronic monitoring as defined in Section 1210.7, order the provision of appropriate rehabilitation and treatment services, determine appropriate incentives, and determine and order appropriate responses to alleged violations, which can include, but shall not be limited to, immediate, structured, and intermediate sanctions up to and including referral to a reentry court pursuant to Section 3015, or flash incarceration in a city or county jail. Periods of flash incarceration are encouraged as one method of punishment for violations of an offender's condition of postrelease supervision.

(c) As used in this title, "flash incarceration" is a period of detention in a city or county jail due to a violation of an offender's conditions of postrelease supervision. The length of the detention period can range between one and 10 consecutive days. Flash incarceration is a tool that may be used by each county agency responsible for postrelease supervision. Shorter, but if necessary more frequent, periods of detention for violations of an offender's postrelease supervision conditions shall appropriately punish an offender while preventing the disruption in a work or home establishment that typically arises from longer term revocations.

(d) Upon a decision to impose a period of flash incarceration, the probation department shall notify the court, public defender, district attorney, and sheriff of each imposition of flash incarceration.

**Section 3455 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) If the supervising county agency has determined, following application of its assessment processes, that intermediate sanctions as authorized in subdivision (b) of Section 3454 are not appropriate, or if the supervised person has violated the terms of his or her release for a third time, the supervising county agency shall petition the court pursuant to Section 1203.2 to revoke, modify, or terminate postrelease community supervision. At any point during the process initiated pursuant to this section, a person may waive, in writing, his or her right to counsel, admit the violation of his or her postrelease community supervision, waive a court hearing, and accept the proposed modification of his or her postrelease community supervision. The petition shall include a written report that contains additional information regarding the petition, including the relevant terms and conditions of postrelease community supervision, the circumstances of the alleged underlying violation, the history and background of the violator, and any recommendations. The Judicial Council shall adopt forms and rules of court to establish uniform statewide procedures to implement this subdivision, including the minimum contents of supervision agency reports. Upon a finding that the person has violated the conditions of postrelease community supervision, the revocation hearing officer shall have authority to do all of the following:

- (1) Return the person to postrelease community supervision with modifications of conditions, if appropriate, including a period of incarceration in a county jail.
  - (2) Revoke and terminate postrelease community supervision and order the person to confinement in a county jail.
  - (3) Refer the person to a reentry court pursuant to Section 3015 or other evidence-based program in the court's discretion.
- (b) (1) At any time during the period of postrelease community supervision, if a peace officer, including a probation officer, has probable cause to believe a

person subject to postrelease community supervision is violating any term or condition of his or her release, or has failed to appear at a hearing pursuant to Section 1203.2 to revoke, modify, or terminate postrelease community supervision, the officer may, without a warrant or other process, arrest the person and bring him or her before the supervising county agency established by the county board of supervisors pursuant to subdivision (a) of Section 3451. Additionally, an officer employed by the supervising county agency may seek a warrant and a court or its designated hearing officer appointed pursuant to Section 71622.5 of the Government Code shall have the authority to issue a warrant for that person's arrest.

(2) The court or its designated hearing officer shall have the authority to issue a warrant for a person who is the subject of a petition filed under this section who has failed to appear for a hearing on the petition or for any reason in the interests of justice, or to remand to custody a person who does appear at a hearing on the petition for any reason in the interests of justice.

(3) Unless a person subject to postrelease community supervision is otherwise serving a period of flash incarceration, whenever a person who is subject to this section is arrested, with or without a warrant or the filing of a petition for revocation, the court may order the release of the person under supervision from custody under any terms and conditions the court deems appropriate.

(c) The revocation hearing shall be held within a reasonable time after the filing of the revocation petition. Except as provided in paragraph (3) of subdivision (b), based upon a showing of a preponderance of the evidence that a person under supervision poses an unreasonable risk to public safety, or that the person may not appear if released from custody, or for any reason in the interests of justice, the supervising county agency shall have the authority to make a determination whether the person should remain in custody pending the first court appearance on a petition to revoke postrelease community supervision, and upon that determination, may order the person confined pending his or her first court appearance.

(d) Confinement pursuant to paragraphs (1) and (2) of subdivision (a) shall not exceed a period of 180 days in a county jail for each custodial sanction.

(e) A person shall not remain under supervision or in custody pursuant to this title on or after three years from the date of the person's initial entry onto postrelease community supervision, except when his or her supervision is tolled pursuant to Section 1203.2 or subdivision (b) of Section 3456.

## SEC. 5. DNA COLLECTION

**Section 296 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) The following persons shall provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to this chapter for law enforcement identification analysis:

(1) Any person, including any juvenile, who is convicted of or pleads guilty or no contest to any felony offense, or is found not guilty by reason of insanity of any felony offense, or any juvenile who is adjudicated under Section 602 of the Welfare and Institutions Code for committing any felony offense.

(2) Any adult person who is arrested for or charged with any of the following felony offenses:

(A) Any felony offense specified in Section 290 or attempt to commit any felony offense described in Section 290, or any felony offense that imposes upon a person the duty to register in California as a sex offender under Section 290.

(B) Murder or voluntary manslaughter or any attempt to commit murder or voluntary manslaughter.

(C) Commencing on January 1, 2009, any adult person arrested or charged with any felony offense.

(3) Any person, including any juvenile, who is required to register under Section 290 through 290.009 or 457.1 because of the commission of, or the attempt to commit, a felony or misdemeanor offense, or any person, including any juvenile, who is housed in a mental health facility or sex offender treatment program after referral to such facility or program by a court after being charged with any felony offense.

(4) Any person, excluding a juvenile, who is convicted of, or pleads guilty or no contest to, any of the following offenses:

(A) A misdemeanor violation of Section 459.5;  
(B) A violation of subdivision (a) of Section 473 that is punishable as a misdemeanor pursuant to subdivision (b) of Section 473;  
(C) A violation of subdivision (a) of Section 476a that is

punishable as a misdemeanor pursuant to subdivision (b) of Section 476a;

(D) A violation of Section 487 that is punishable as a misdemeanor pursuant to Section 490.2;

(E) A violation of Section 496 that is punishable as a misdemeanor;

(F) A misdemeanor violation of subdivision (a) of Section 11350 of the Health and Safety Code;

(G) A misdemeanor violation of subdivision (a) of Section 11377 of the Health and Safety Code;

(H) A misdemeanor violation of paragraph (1) of subdivision (e) of Section 243;

(I) A misdemeanor violation of Section 273.5;

(J) A misdemeanor violation of paragraph (1) of subdivision (b) of Section 368;

(K) Any misdemeanor violation where the victim is defined as set forth in Section 6211 of the Family Code;

(L) A misdemeanor violation of paragraph (3) of subdivision (b) of Section 647.

(4)(5) The term "felony" as used in this subdivision includes an attempt to commit the offense.

(5)(6) Nothing in this chapter shall be construed as prohibiting collection and analysis of specimens, samples, or print impressions as a condition of a plea for a non-qualifying offense.

(b) The provisions of this chapter and its requirements for submission of specimens, samples and print impressions as soon as administratively practicable shall apply to all qualifying persons regardless of sentence imposed, including any sentence of death, life without the possibility of parole, or any life or indeterminate term, or any other disposition rendered in the case of an adult or juvenile tried as an adult, or whether the person is diverted, fined, or referred for evaluation, and regardless of disposition rendered or placement made in the case of juvenile who is found to have committed any felony offense or is adjudicated under Section 602 of the Welfare and Institutions Code.

(c) The provisions of this chapter and its requirements for submission of specimens, samples, and print impressions as soon as administratively practicable by qualified persons as described in subdivision (a) shall apply regardless of placement or confinement in any mental hospital or other public or private treatment facility, and shall include, but not be limited to, the following persons, including juveniles:

(1) Any person committed to a state hospital or other treatment facility as a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(2) Any person who has a severe mental disorder as set forth within the provisions of Article 4 (commencing with Section 2960) of Chapter 7 of Title 1 of Part 3 of the Penal Code.

(3) Any person found to be a sexually violent predator pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(d) The provisions of this chapter are mandatory and apply whether or not the court advises a person, including any juvenile, that he or she must provide the data bank and database specimens, samples, and print impressions as a condition of probation, parole, or any plea of guilty, no contest, or not guilty by reason of insanity, or any admission to any of the offenses described in subdivision (a).

(e) If at any stage of court proceedings the prosecuting attorney determines that specimens, samples, and print impressions required by this chapter have not already been taken from any person, as defined under subdivision (a) of Section 296, the prosecuting attorney shall notify the court orally on the record, or in writing, and request that the court order collection of the specimens, samples, and print impressions required by law. However, a failure by the prosecuting attorney or any other law enforcement agency to notify the court shall not relieve a person of the obligation to provide specimens, samples, and print impressions pursuant to this chapter.

(f) Prior to final disposition or sentencing in the case the court shall inquire and verify that the specimens, samples, and print impressions required by this chapter have been obtained and that this fact is included in the abstract of judgment or dispositional order in the case of a juvenile. The abstract of judgment issued by the court shall indicate that the court has ordered the person to comply with the requirements of this chapter and that the person shall be included in the state's DNA and Forensic Identification Data Base and Data Bank program and be subject to this chapter.

However, failure by the court to verify specimen, sample, and print impression collection or enter these facts in the abstract of judgment or dispositional order in the case of



a juvenile shall not invalidate an arrest, plea, conviction, or disposition, or otherwise relieve a person from the requirements of this chapter.

## SEC. 6. SHOPLIFTING

**Section 459.5 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) Notwithstanding Section 459, shoplifting is defined as entering a commercial establishment with intent to commit larceny ~~steal retail property or merchandise~~ while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed nine hundred fifty dollars (\$950). Any other entry into a commercial establishment with intent to commit larceny is burglary. Shoplifting shall be punished as a misdemeanor, except that a person with one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (c) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290 may be punished pursuant to subdivision (h) of Section 1170.

(b) Any act of shoplifting as defined in subdivision (a) shall be charged as shoplifting. No person who is charged with shoplifting may also be charged with burglary or theft of the same property.

~~(c) "Retail property or merchandise" means any article, product, commodity, item or component intended to be sold in retail commerce.~~

~~(d) "Value" means the retail value of an item as advertised by the affected retail establishment, including applicable taxes.~~

~~(e) This section shall not apply to theft of a firearm, forgery, the unlawful sale, transfer, or conveyance of an access card pursuant to Section 484c, forgery of an access card pursuant to Section 484f, the unlawful use of an access card pursuant to Section 484g, theft from an elder pursuant to subdivision (c) of Section 368, receiving stolen property, embezzlement, or identity theft pursuant to Section 530.5, or the theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.~~

**Section 490.2 of the Penal Code is amended to read:**  
[language added to an existing section of law is designated in underlined type and language deleted is designated in ~~strikeout~~ type]

(a) Notwithstanding Section 487 or any other provision of law defining grand theft, obtaining any property by theft where the value of the money, labor, real or personal property taken does not exceed nine hundred fifty dollars (\$950) shall be considered petty theft and shall be punished as a misdemeanor, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.

(b) This section shall not be applicable to any theft that may be charged as an infraction pursuant to any other provision of law.

~~(c) This section shall not apply to theft of a firearm, forgery, the unlawful sale, transfer, or conveyance of an access card pursuant to Section 484c, forgery of an access card pursuant to Section 484f, the unlawful use of an access card pursuant to Section 484g, theft from an elder pursuant to subdivision (c) of Section 368, receiving stolen property, embezzlement, or identity theft pursuant to Section 530.5, or the theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.~~

## SEC. 7. SERIAL THEFT

**Section 490.3 is added to the Penal Code to read:**

(a) This section applies to the following crimes:

- (1) petty theft;
- (2) shoplifting;
- (3) grand theft;
- (4) burglary;
- (5) carjacking;
- (6) robbery;
- (7) a crime against an elder or dependent adult within the meaning of subdivision (d) or (e) of Section 368;
- (8) any violation of Section 496;
- (9) unlawful taking or driving of a vehicle within the meaning of Section 10851 of the Vehicle Code;
- (10) Forgery;
- (11) The unlawful sale, transfer, or conveyance of an

access card pursuant to Section 484c.

(12) Forgery of an access card pursuant to Section 484f.

(13) The unlawful use of an access card pursuant to Section 484g.

(14) Identity theft pursuant to Section 530.5.

(15) The theft or unauthorized use of a vehicle pursuant to Section 10851 of the Vehicle Code.

(b) Notwithstanding subsection (3) of subdivision (h) of Section 1170, subsections (2) and (4) of subdivision (a) of Section 1170.12, subsections (2) and (4) of subdivision (c) of Section 667, any person who, having been previously convicted of two or more of the offenses specified in subdivision (a), which offenses were committed on separate occasions, and who is subsequently convicted of petty theft or shoplifting where the value of the money, labor, or real or personal property taken exceeds two hundred fifty dollars (\$250) shall be punished by imprisonment in the county jail not exceeding one year, or imprisonment pursuant to subdivision (h) of Section 1170.

(c) This section does not prohibit a person or persons from being charged with any violation of law arising out of the same criminal transaction that violates this section.

## SEC. 8. ORGANIZED RETAIL THEFT

**Section 490.4 is added to the Penal Code to read:**

(a) "Retail property or merchandise" means any article, product, commodity, item or component intended to be sold in retail commerce.

(b) "Value" means the retail value of an item as advertised by the affected retail establishment, including applicable taxes.

(c) Any person, who, acting in concert with one or more other persons, commits two (2) or more thefts pursuant to Sections 459.5 or 490.2 of retail property or merchandise having an aggregate value exceeding two hundred fifty dollars (\$250) and unlawfully takes such property during a period of one hundred eighty days (180) is guilty of organized retail theft.

(d) Notwithstanding subsection (3) of subdivision (h) of Section 1170, subsections (2) and (4) of subdivision (a) of Section 1170.12, subsections (2) and (4) of subdivision (c) of Section 667, organized retail theft shall be punished by imprisonment in the county jail not exceeding one year, or imprisonment pursuant to subdivision (h) of Section 1170.

(e) For purposes of this section, the value of retail property stolen by persons acting in concert may be aggregated into a single count or charge, with the sum of the value of all of the retail merchandise being the values considered in determining the degree of theft.

(f) An offense under this section may be prosecuted in any county in which an underlying theft could have been prosecuted as a separate offense.

(g) This section does not prohibit a person or persons from being charged with any violation of law arising out of the same criminal transaction that violates this section.

## SEC. 9. AMENDMENTS

This act shall not be amended by the Legislature except by a statute that furthers the purposes, findings and declarations of the Act and is passed in each house by roll call vote entered in the journal, three-fourths of the membership of each house concurring, or by a statute that becomes effective only when approved by the voters.

## SEC. 10. SEVERABILITY

If any provision of this Act, or any part of any provision, or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remaining provisions and applications which can be given effect without the invalid or unconstitutional provision or application shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Act are severable.

## SEC. 11. CONFLICTING INITIATIVES

(a) In the event that this measure and another measure addressing parole consideration pursuant to Section 32 of Article I of the Constitution, revocation of parole and post release community supervision, DNA collection, or theft offenses shall appear on the same statewide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

(b) If this measure is approved by voters but superseded by law by any other conflicting measure approved by voters at the same election, and the conflicting ballot

measure is later held invalid, this measure shall be self-executing and given full force and effect.

## **ATTACHMENT 2**

### **Resolution**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MONTEREY PARK, CALIFORNIA  
SUPPORTING THE REDUCING CRIME AND  
KEEPING CALIFORNIA SAFE ACT OF 2018 .**

WHEREAS, protecting every person in our state, including our most vulnerable children, from violent crime is of the utmost importance. Murderers, rapists, child molesters and other violent criminals should not be released early from prison; and

WHEREAS, since 2014, California has had a larger increase in violent crime than the rest of the United States. Since 2013, violent crime in Los Angeles has increased 69.5%. Violent crime in Sacramento rose faster during the first six months of 2015 than in any of the 25 largest U.S. cities tracked by the FBI; and

WHEREAS, The FBI Preliminary Semiannual Uniform Crime Report for 2017, which tracks crimes committed during the first six months of the past year in U. S. cities with populations over 100,000, indicates that last year violent crime increased again in most of California's largest cities.

WHEREAS, recent changes to parole laws allowed the early release of dangerous criminals by the law's failure to define certain crimes as "violent." These changes allowed individuals convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "nonviolent offenders."; and

WHEREAS, as a result, these so-called "non-violent" offenders are eligible for early release from prison after serving only a fraction of the sentence ordered by a judge; and

WHEREAS, violent offenders are also being allowed to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer, Keith Boyer; and

WHEREAS, this measure reforms the law so felons who violate the terms of their release can be brought back to court and held accountable for such violations; and

WHEREAS, nothing in this act is intended to create additional "strike" offenses which would increase the state prison population, nor is it intended to affect the ability of the California Department of Corrections and Rehabilitation to award educational and merit credits; and

WHEREAS, recent changes to California law allow individuals who steal repeatedly to face few consequences, regardless of their criminal record or how many times they steal; and

WHEREAS, as a result, between 2014 and 2016, California had the 2nd highest increase in theft and property crimes in the United States, while most states have seen a steady decline. According to the California Department of Justice, the value of property stolen in 2015 was \$2.5 billion with an increase of 13 percent since 2014, the largest single-year increase in at least ten years; and

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WHEREAS, grocery store operators around the state have seen unprecedented increases in the amount of losses associated with shoplifting in their stores, with some reporting up to 150% increases in these losses from 2012 to present, with the largest jumps occurring since 2014; and

WHEREAS, shoplifting incidents have started to escalate in such a manner that have endangered innocent customers and employees; and

WHEREAS, individuals who repeatedly steal often do so to support their drug habit. Recent changes to California law have reduced judges' ability to order individuals convicted of repeated theft crimes into effective drug treatment programs; and

WHEREAS, California needs stronger laws for those who are repeatedly convicted of theft related crimes, which will encourage those who repeatedly steal to support their drug problem to enter into existing drug treatment programs. This measure enacts such reforms; and

WHEREAS, collecting DNA from criminals is essential to solving violent crimes. Over 450 violent crimes including murder, rape and robbery have gone unsolved because DNA is being collected from fewer criminals; and

WHEREAS, DNA collected in 2015 from a convicted child molester solved the rape-murders of two six-year-old boys that occurred three decades ago in Los Angeles County. DNA collected in 2016 from an individual caught driving a stolen car solved the 2012 San Francisco Bay Area rape/murder of an 83-year-old woman; and

WHEREAS, recent changes to California law unintentionally eliminated DNA collection for theft and drug crimes. This measure restores DNA collection from persons convicted for such offenses; and

WHEREAS, permitting collection of more DNA samples will help identify suspects, clear the innocent and free the wrongly convicted, and

WHEREAS, this measure does not affect existing legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AS FOLLOWS:

SECTION 1. The City Council of the City of Monterey Park by the adoption of this resolution hereby supports the Reducing Crime And Keeping California Safe Act of 2018.

SECTION 2. That the City Clerk shall certify to the adoption of this resolution and enter it into the book of original Resolutions.

RESOLUTION NO.  
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PASSED, APPROVED, AND ADOPTED this 4<sup>th</sup> day of April, 2018.

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Stephen Lam, Mayor  
City of Monterey Park,  
California

Attest:

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Vincent D. Chang, City Clerk  
City of Monterey Park  
California

RESOLUTION NO.

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State of California     )  
County of Los Angeles) ss.  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No.           was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 4th day of April, 2018, by the following vote:

Ayes:

Naes:

Absent:

Abstain:

Dated this 4th day of April, 2018.

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Vincent D. Chang, City Clerk  
City of Monterey Park,  
California





## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-F.**

**TO:** The Honorable Mayor and City Council

**FROM:** Annie Young, CPFO, Director of Management Services

**SUBJECT:** Renewal of the assessment district for Fiscal Year 2018-19 and scheduling a public hearing pursuant to Streets and Highways Code §§ 22500, *et seq.*

### **RECOMMENDATION:**

It is recommended that the City Council consider:

1. Adopting a resolution declaring the City Council's intent to levy and collect assessments for Fiscal Year 2018-19 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code §§ 22500, *et seq.* and setting a time and place for a public hearing.
2. Take such additional, related, action that may be desirable.

### **CEQA**

The proposed action is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; "CEQA") and CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. The proposed action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15273.

### **EXECUTIVE SUMMARY:**

In 1993 the City formed a citywide benefit assessment district to finance the operation and maintenance of public street lighting and landscaping. The district was renewed each of the past 25 years and must be renewed for 2018-19 in order for the City to continue the collection of assessments. To begin the district renewal, staff recommends a public hearing be held on June 20, 2018. Scheduling the public hearing is a required process and it does not automatically renew the district. The district renewal will follow the City Council's action at the conclusion of the June 20<sup>th</sup> public hearing.

**BACKGROUND:**

In 1993, the State implemented Education Revenue Augmentation (ERAF) transfer that shifts property tax revenues from local governments to schools. The City's loss from ERAF was \$1.2 million. In 1993, after considering various options to balance the budget, the City formed a benefit assessment district. The assessment revenues are used to pay for the costs for maintaining street lighting and public landscaping. The funds freed up by the assessment revenues are used to maintain essential City services such as police, fire, public works, recreation, and library.

The City is required to renew the assessment district annually. The City has renewed the district for the past 25 years. To start the renewal process, the following resolution and the preliminary engineer's report have been prepared for the City Council's consideration.

**RESOLUTION OF INTENTION**

The resolution describes an Engineer's Report, which was prepared pursuant to Streets and Highways Code § 22566, the assessment district and its boundaries, specifies date, time, and place of the public hearing. The proposed assessment per single family home for 2018-19 is \$40.97. There is no increase from 2017-18. As shown in the attached resolution, we recommend the hearing be scheduled for June 20, 2018 at 7:00 p.m. in the City Council Chamber. As required by law, a notice for the public hearing will be published. The renewal will be completed following the City Council's action at the June 20<sup>th</sup> hearing.

**FISCAL IMPACT**

The proposed assessment rates for 2018-19 are the same as for 2017-18. The projected assessment revenue is approximately \$983,058. If the City does not renew the assessment district, it must reduce expenditures by \$983,058 to balance the budget.

Respectfully submitted and prepared by:

Approved By:

  
\_\_\_\_\_  
Annie Yaung, CPFO  
Director of Management Services

  
\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed By:



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Karl H. Berger  
Assistant City Attorney

Attachment(s):

1. Resolution
2. Preliminary Engineer's Report (**Exhibit A**)

## **Attachment 1 Resolution**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2018-19 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING.**

The City Council for the City of Monterey Park does resolve as follows:

**SECTION 1:** The City Council finds as follows:

- A. The City Council seeks to levy assessments for Fiscal Year 2018-19 pursuant to Streets and Highways Code §§ 22500, *et seq.* for Citywide Maintenance District No. 93-1 ("District"); and
- B. The District is exempt from the procedures and approval process of California Constitution art. XIID, § 4 pursuant to California Constitution, art. XIID, § 5(a).

**SECTION 2:** An Engineer's Report ("Report") was prepared pursuant to Streets and Highways Code § 22566 for Fiscal Year 2018-2019 and is attached as Exhibit "A," and incorporated by reference.

**SECTION 3:** After reviewing the Report, the City Council finds as follows:

- A. The Report sufficient meets the requirements set forth in Streets and Highways Code §§ 22565, *et seq.*
- B. The Engineer's estimate of the itemized costs and expenses of said work, as contained in the Report is preliminarily approved and confirmed.
- C. The diagram, showing the boundaries of the land within the District referred to and described in the Report is preliminarily approved and confirmed.
- D. The proposed assessment upon the land in the District is in proportion to the estimated special benefit to be received by said land, as contained in the Report, is hereby preliminarily approved and confirmed.
- E. The Report may be used for the purposes of all subsequent proceedings pursuant to the proposed benefit assessment.

**SECTION 4:** The City Council directs the City Clerk to give notice that the City Council intends to undertake proceedings for levying and collecting of special assessments for Fiscal Year 2018-19 on real property within the District for the continual maintenance of certain improvements as shown and delineated on a map previously approved by City Council and on file with the City Clerk which is available for public inspection and incorporated into this Resolution as if fully set forth ("Map") pursuant to Streets and Highways Code § 22508. Any proposed changes to the map, maintenance, and assessments are set forth in the Report.

**SECTION 5:** On June 20, 2018, the City Council will consider ordering the annual assessment recommended by the Report. The annual assessment proposed for each Equivalent Dwelling Unit (EDU) in the Report is \$40.97 for Fiscal Year 2018-19, no increase from Fiscal Year 2017-18.

**SECTION 6:** If approved, the assessment levied and collected is for maintaining certain landscaping and street lighting improvements, as set forth in the Report, referenced and so incorporated herein.

**SECTION 7:** If approved, the County Auditor/Controller must enter on the County Assessment Roll the amount of the assessments and collect such assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, must be paid to the City Treasurer for purposes of paying the costs and expenses of the District.

**SECTION 8:** All monies collected for such assessments must be deposited in a special fund known as "Special Fund City of Monterey Park Citywide Maintenance District No. 93-1." Payment may be made out of said fund only for the purpose provided for in this Resolution and as set forth in an appropriate resolution on or about June 20, 2018.

**SECTION 9:** Any public property included within boundaries of the District is exempt from assessment.

**SECTION 10:** The public hearing to consider levying the assessments identified in this Resolution will take place on June 20, 2018, or as soon thereafter as is practicable, at a regular meeting of the City Council at the Council Chamber, 320 West Newmark Avenue, Monterey Park.

**SECTION 11:** The City Clerk is hereby authorized and directed to publish this Resolution pursuant to Government Code § 6061 and Streets and Highways Code § 22554.

**SECTION 12:** A majority protest from the property owners may cause any proposed increase of assessment for the 2018-19 Fiscal Year to be abandoned. Written protest must be submitted to the City Clerk's office at City Hall, 320 West Newmark Avenue, Monterey Park, CA 91754, before the close of the public hearing on June 20, 2018. Each written protest must state the grounds of objection and contain a description of property owned.

SECTION 13: For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical-nature, your attention is directed to the below listed person so designated:

Annie Yaung, CPFO  
Director of Management Services  
City of Monterey Park  
320 West Newmark Avenue  
Monterey Park, California 91754  
(626) 307-1349

SECTION 14: This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> of April 2018.

\_\_\_\_\_  
Stephen Lam, Mayor  
City of Monterey Park

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park

APPROVED AS TO FORM:  
MARK D. HENSLEY, City Attorney

By: \_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES) **SS**  
CITY OF MONTEREY PARK)

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly adopted by the City Council of the City of Monterey Park at a Regular Meeting held on the 4<sup>th</sup> of April 2018, by the following vote of the Council:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

Dated this 4<sup>th</sup> day of April 2018

---

Vincent D. Chang, City Clerk  
City of Monterey Park



## **Attachment 2**

# **Preliminary Engineer's Report**

**PRELIMINARY  
ENGINEER'S REPORT  
CITY OF MONTEREY PARK  
  
CITYWIDE MAINTENANCE DISTRICT NO. 93-1  
  
FOR THE 2018-2019 FISCAL YEAR**

**ENGINEER'S REPORT  
CITY OF MONTEREY PARK  
CITYWIDE MAINTENANCE DISTRICT NO. 93-1  
FOR THE 2018-19 FISCAL YEAR**

**PURPOSE**

The purpose of this report is to establish the annual levy of assessments for the City of Monterey Park Citywide Maintenance District 93-1 (District) for the 2018-19 Fiscal Year.

**INTRODUCTION**

The District was formed in 1993 under the Landscaping and Lighting Act of 1972 (the "Act"). The District provides the City with a source of funds for the operation and maintenance of street trees, median landscaping, and streetlights on arterial streets within the City. Assessments are levied upon each parcel for the necessary costs of operating, servicing, and maintenance of the respective facilities, which provides safety protection and enhances the value of each and every parcel in the City.

Street tree and median landscaping maintenance are important services in any urban environment. Trees and landscaping, when well maintained, provide beautification, shade, traffic safety, and enhancement of the desirability of the surroundings, along with a direct, positive effect on property values.

Adequate street lighting is considered imperative for their contribution to public convenience and community safety. Protection of property, increased public safety, reduction of traffic accidents, savings in accident costs and lost working hours, are specific benefits that benefit properties within the City of Monterey Park. The lighting benefit is directly related to public safety and property protection.

Property values in a community are increased when public infrastructure such as street trees, median landscaping, and street lighting are in place, improved, operable, safe, clean and maintained. Facilities that are unsafe or destroyed by the elements or vandalism decrease quality of life.

The operation, servicing, and maintenance of the facilities within the District are consistent with the Act, and will be administered pursuant to the City of Monterey Park ordinances and regulations.

The properties that benefit from operation and maintenance of the street trees, median landscaping, and lighting will fund these activities in proportion to the specific benefits that each property receives.

Payment for the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes for each property. Revenues from these assessments must be placed in a special fund and cannot be used for any other purpose.

The City Council of the City of Monterey Park will set a date for a public hearing. The public hearing will be held on the date and at the time and place described specifically in the Resolution of Intention. Notice will be given by publishing the Resolution of Intention in accordance with requirements of the Government Code.

## **DESCRIPTION OF IMPROVEMENTS**

The improvements are the operation, servicing, and maintenance of street trees, median landscaping, and street lighting, including but not limited to, personnel, electrical energy, utilities, materials, and contracting services for the satisfactory operation of these services described as follows:

### **Street Trees and Median Landscaping**

Landscaping, planting shrubbery and trees, irrigation systems, hardscapes, and fixtures in public rights-of way within the proposed boundary of the District.

### **Street Lighting**

Poles, fixtures, bulbs, conduits, equipment including anchors, posts and pedestals, and metering devices, as required to provide safety lighting in public rights-of-way within the proposed boundaries of the District.

Maintenance means the furnishing of services and materials for the ordinary and usual operation and servicing of the landscaping and public lighting facilities including repair, removal or replacement of all or part of any of the landscaping and public lighting facilities. Maintenance also means providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or improvements and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of landscaping.

## **ESTIMATE OF COST**

The estimated costs of the operation, servicing and maintenance of the improvements for Fiscal Year 2018-19, as summarized below same as last year.

### **I. STREET LANDSCAPING AND FACILITY MAINTENANCE**

#### **A. Street Trees and Median Landscaping**

1. O & M	\$1,130,301
2. Reserves	<u>-0-</u>
Sub-Total	\$1,130,301

## II. STREET LIGHTING

A. Street Lights	
1. O & M	\$693,613
2. Reserves	<u>-0-</u>
Sub-Total	\$693,613
Total Cost	\$1,823,914
Less City General Fund Contributions	<u>&lt;840,856&gt;</u>
Total Funded by Assessments	\$983,058

The Act requires that the City establish a special fund for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purposes as stated in this report. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

### **ASSESSMENT ROLL**

The proposed assessment and the amount of assessment for Fiscal Year 2018-19 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office are on file in the office of the City Clerk of the City of Monterey Park.

The description of each lot or parcel is part of the records of the Assessor of the County of Los Angeles and these records are, by reference, made part of this report.

The total proposed assessment for fiscal year 2018-19 is approximately \$983,058.

### **METHODS OF APPORTIONMENT OF ASSESSMENT**

#### **1. GENERAL**

Part 2 of Division 15 of the Streets and Highways Code (the Code), also known as the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street trees, median landscaping and street lights.

The Act requires that maintenance assessments be levied according to benefit rather than according to assessed value.

The Act also permits the designation of zones of benefit within any individual assessment district if by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement. Thus, the Act requires the levy of a true "assessment" rather than a "special tax."

Exempt from the assessment would be the areas of all publicly owned property in use in performance of a public function. The City has made a determination to also except public utility rights of way.

## **2. ASSESSMENT FORMULA**

Section 22509 of the Code provides that the Act shall be liberally constructed to effectuate its purpose. Therefore, any reasonable formula, or method, when upheld by the City Council after a public hearing, is conclusive.

Section 22573 of the Code provides the net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated special benefit to be received by each such lot or parcel from the improvements.

Since the assessment will be levied against properties as shown on the Property Tax Rolls of the Los Angeles County Assessor, the final charges must be assigned by Assessor's Parcel Number. The formula shown below takes into the consideration of land use and parcel size.

### **Single Family Residential.**

The single-family residential parcel has been selected as the basic unit for calculation of the benefit assessments. This basic unit shall be called an Equivalent Dwelling Unit (EDU). Parcels developed for single family residential uses, including condominiums, are assessed one (1) EDU.

### **Multi-Family Residential.**

Multi-family residential uses are given a factor of 0.85 EDU per dwelling unit. Based on data from representative cities in urban Southern California, the multiple residential factor of 85 percent is determined by the statistical proportion of relative trip generation from various types of residential uses, in combination with population density per unit.

### **Mobile Home.**

Parcels designated for mobile home park uses are assigned 0.5 EDU per unit.

### **Commercial/ Industrial.**

In converting improved non-residential properties to EDU's the factor used is the typical lot size for single-family residential parcels, which is 6,000 square feet, or 7.26 dwelling units per acre.

The commercial/industrial parcels will be assessed 7.26 EDU for each acre, or any portion thereof up to five (5) acres and 0.73 for every additional acre or portion thereof above five acres. This lower EDU factor is based on the fact that many of the larger commercial/industrial developments contain internal street systems and provide their own street lighting. The minimum number of EDUs per commercial/industrial parcel will be one (1) EDU.

#### **Vacant Residential.**

Vacant residential property is described as parcels with no improved dwelling structures. These properties receive benefits based on their land, as this is the basis of their value. The land value portion of residential property in Monterey Park is about 50 percent. Parcels defined as single-family residential parcels which do not have structures on the parcels are therefore, assessed 50 percent of a single-family dwelling. The parcels will be assessed 0.50 EDU per parcel. Parcels defined as vacant multi-family residential will be assessed at 50 percent of the rate for vacant commercial/industrial property.

#### **Vacant Commercial/Industrial.**

Parcels which are not zoned for residential use and which do not have structures on the parcels are assessed based upon the acreage of the parcel. These parcels will be assessed at 50 percent of the rate of improved commercial/industrial property.

#### **Institutional.**

Institutional parcels are defined as those used for private schools, lodge halls, convalescent hospitals, and other similar uses. These parcels will be assessed at the same rate as improved commercial/industrial property.

#### **Utility.**

Parcels owned by private utility companies will be assessed at the same rate as improved commercial/industrial property based upon a comparable land use for the property. Utility rights-of-way will be exempt from assessments.

#### **Exempt.**

Parcels of land defined in the County Assessor's records as being exempt from property taxes will be exempt from District assessments. This includes all publicly owned property, all easements and rights-of-way, and common areas.

### **BENEFIT DETERMINATION**

Special Benefits from the public improvements operated and maintained by the District are received directly by all parcels within the City. The maintenance of street lighting and landscaping is distributed throughout the district and is of direct and specific benefit to all parcels within the District. Therefore the costs associated with these benefits are spread equally, based on Equivalent Dwelling Units (EDU), to all parcels within the District.

Special benefits include maintenance of street trees and medians on the major thoroughfares, which are the main travel ways of the City. Street lighting is also considered a special benefit since all parcels within the City access public streets which have streetlights. Costs incurred by the City to administer these programs are also considered a citywide benefit. The primary benefits of streetlights are convenience, safety, security, and protection of property, property improvements, and persons. The primary benefits of street trees and median landscaping on arterial streets are the improved safety and aesthetic appeal within the community.

**ASSESSMENT RATE BY MAINTENANCE CATEGORY**

Category	2018-2019 Proposed	
	Budget	Rate Per EDU
Street Trees and Median Landscaping	\$436,560 <sup>(*)</sup>	\$ 18.19
Street Lighting	546,498 <sup>(*)</sup>	22.78`
Total Assessment	\$983,058	\$ 40.97

\* Net of City General Fund contributions



## **INVENTORY OF PARCELS**

The following information was obtained from the Los Angeles County Assessor's Roll, Assessor's Parcel Maps, and the City of Monterey Park Development Services Department.

<b>Land Use</b>		<b>Parcels</b>	<b>Units</b>	<b>Acres</b>	<b>EDUs</b>
1. Single Family Residential (SFR)		13,667	13,667	1,753.09	13,667
2. Multi-Family Residential (MFR)		1,450	6,476	736.35	5,640.88
3. Vacant SFR		115	-	33.79	57.50
4. Vacant MFR		-	-	-	-
5. Mobile Home		2	23	1.58	11.50
6. Commercial Industrial		918	35	467.15	3,528.52
7. Vacant Commercial Industrial		66	-	268.07	361.01
8. Utilities		59	-	154.98	427.42
9. Exempt					
a.	Alhambra City School District	4	-	-	-
b.	Garvey School District	3	-	-	-
c.	L.A. City Community College	4	-	-	-
d.	LACO Flood Control District	4	-	-	-
e.	L.A. County	10	-	-	-
f.	L.A. Unified School District	2	-	-	-
g.	Metropolitan Water District	7	-	-	-
h.	Montebello Unified School District	2	-	-	-
i.	State of California	4	-	-	-
j.	City of Montebello	1	-	-	-
k.	City of Monterey Park	50	-	-	-
l.	SFR Common Area	9	-	2.60	-
	<b>SUBTOTAL (9. a-l)</b>	<b>100</b>	<b>-</b>	<b>2.60</b>	<b>-</b>
10. Institutional		50	50	41.32	300.77
<b>TOTALS</b>		<b>16,427</b>	<b>20,251</b>	<b>3,456.33</b>	<b>23,994.60</b>

### **PROPERTY OWNER LIST**

A list of names and addresses of the owners of all parcels within the District is shown on the last equalized Property Tax Roll of the Assessor of the County of Los Angeles, which by reference is hereby made a part of this report.

### **ASSESSMENT DISTRICT BOUNDARY MAP AND ASSESSMENT DIAGRAM**

An Assessment Diagram for the District has been submitted to the City Clerk in the format required under the provisions of the Act. The attached is a facsimile of the map on file in the office of the City Clerk.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles for the year when this report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this report.

### **RESOLUTION**


Resolution of Intention is on file in the Office of the City Clerk.

### **CERTIFICATION**

This report contains the necessary data required to conduct the proceedings and is submitted to the Office of the City Clerk for filing and public inspection.

  
\_\_\_\_\_  
Annie Yaung, CPFO  
Director of Management Services

3 - 22 - 2018  
Date

  
\_\_\_\_\_  
Mark A. McAvoy  
Director of Public Works / City Engineer

3/27/18  
Date



## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-G.**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Michael A. Huntley, Community and Economic Development Director  
**SUBJECT:** Consider a proposed municipal code amendment to clarify and clearly prohibit Airports, Heliports and Helipads in the Monterey Park Municipal Code.

### **RECOMMENDATION:**

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the ordinance and schedule second reading and adoption for April 18, 2018; and
- (2) Taking such additional, related, action that may be desirable.

### **ENVIRONMENTAL:**

This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings. This ordinance is an action being taken for enhanced protection of the environment.

### **EXECUTIVE SUMMARY:**

In 1985, the City Council adopted Ordinance No. 1627 (attached) which removed "airport and heliport" and "helipad" from the Monterey Park Municipal Code ("MPMC") as land uses that could be permitted pursuant to a conditional use permit ("CUP"). Regrettably, Ordinance No. 1627 neither deleted the definition of "heliport" from the MPMC nor did it add an outright prohibition on airports, heliports, or helipads.

In the 33 years since Ordinance No. 1627 was adopted, the MPMC underwent a number of amendments. The zoning regulations codified in Title 21 of the MPMC, however, continued to include the definition of "heliport." Consequently, when One Legacy submitted its application, the Economic and Community Development Director found that the MPMC could allow a "heliport" could be an ancillary use to a hospital pursuant to MPMC § 21.02.090.

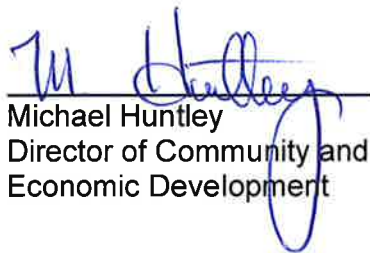
While planning staff conducted a review of the City's files regarding helipads and heliports, it was only after receiving information from a long-time informed resident of the City that staff was able to focus on the City Council's actions in 1985. At that point,

the City Clerk's office was able to identify Ordinance No. 1627. After planning staff shared this information with the One Legacy, it decided to drop its request for a heliport.

To help ensure that a similar situation does not occur in the future, it is recommended that the City Council adopt an ordinance to clarify the MPMC as to airports, heliports, and helipads. The City Attorney's office prepared a draft ordinance for consideration by the City Council clarifying the prohibition on airports, heliports and helipads.

Respectfully submitted:

By:



Michael Huntley  
Director of Community and  
Economic Development

Approved by:



Ron Bow  
City Manager

Reviewed by:



Karl H. Berger  
Assistant City Attorney

Attachments:

Attachment 1: Draft Ordinance

Attachment 2: Ordinance No. 1627, February 11, 1985

# ATTACHMENT 1

## Draft Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CLARIFYING ORDINANCE NO. 1627, ADOPTED FEBRUARY 11, 1985, BY AMENDING THE MONTEREY PARK MUNICIPAL CODE TO CLEARLY PROHIBIT AIRPORTS, HELIPORTS, AND HELIPADS.**

The city council of the city of Monterey Park does ordain as follows:

**SECTION 1:** The City Council finds and determines as follows:

- A. Article XI, § 7 of the California Constitution empowers the City to enact and enforce ordinances regulating conditions that may be public nuisances or health hazards, or that promote social, economic, or aesthetic considerations.
- B. Government Code § 38771 authorizes the City to declare what constitutes a nuisance by ordinance.
- C. The City's ability to abate public nuisances through its police powers is well-established (see, e.g., Civil Code §§ 3479, 3480; *People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090; *People v. Greene* (1968) 264 Cal.App.2d 774).
- D. On February 11, 1985, the City Council adopted Ordinance No. 1627. Section 3 of Ordinance No. 1627 states, in part, that "the Monterey Park Municipal Code is hereby amended by deleting therefrom "airport and heliport" and "helipad" as uses allowed subject to a conditional use permit in all zones in which said uses are currently permitted [sic]."
- E. While those amendments were implemented, the City Council's goal in prohibiting airport, heliport, and helipad uses within the City's jurisdiction was not clearly memorialized within the Monterey Park Municipal Code ("MPMC").
- F. As a result, and through inadvertence, the City accepted and began processing a land use application that, in part, sought a conditional use permit for a heliport (which is defined at MPMC § 21.04.463).
- G. The City Council finds that it is in the public interest to adopt this Ordinance to further amend the MPMC and ensure that Ordinance No. 1627 is fully implemented.
- H. The City Council recognizes that California law including, without limitation, *Melton v. City of San Pablo* (1967) 252 Cal.App.2d 794 and *In re Cindy B. v. Eugene B.* (1987) 192 Cal.App.3d 771, allows legislation to be retroactively

applied when the legislative intent for such retroactivity is clear.

**SECTION 2:** MPMC § 21.04.463 is repealed as follows:

~~"21.04.463 Heliport.~~

~~"Heliport" means an area, either at ground level or located on a structure, licensed or approved for the arrival, loading and departure of helicopters."~~

**SECTION 3:** MPMC § 21.02.170 is amended to read as follows:

"21.02.170 Limitation on Land Use; Prohibition.

A. Except as provided in this title, it is unlawful to construct, reconstruct, or structurally alter any building or use any real property for any purpose other than is specifically permitted in the zone in which the building or land is located. Using any building or real property for a purpose prohibited by federal law, state law, or this Code is a misdemeanor.

B. Unless preempted by federal or state law, it is unlawful for any person to construct, operate, reconstruct, or use real property for an airport, helipad or heliport in any zone. Using any building or real property in violation of this subsection is a misdemeanor."

**SECTION 4:** *Environmental Review.* This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings. This ordinance is an action being taken for enhanced protection of the environment.

**SECTION 5:** *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 6:** *Enforceability.* Repeal or amendment of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 7: Severability.** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 8:** The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 9: Retroactivity.** The City Council specifically intends that all amendments implemented by this Ordinance be retroactively effective on February 11, 1985.

**SECTION 10: Effective Date.** This Ordinance will take effect on the 30th day following its final passage and adoption.

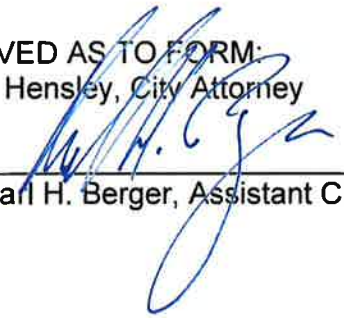
PASSED AND ADOPTED this \_\_\_\_ day of April, 2018.

\_\_\_\_\_  
Stephen Lam, Mayor

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:   
\_\_\_\_\_  
Karl H. Berger, Assistant City Attorney



# ATTACHMENT 2

## Ordinance No. 1627, February 11, 1985

ORDINANCE NO. 1627

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF MONTEREY PARK, CALIFORNIA,  
AMENDING SECTION 21.70.030 OF THE  
MONTEREY PARK MUNICIPAL CODE TO DELETE  
AIRPORTS, HELIPORTS AND HELIPADS AS USES  
ALLOWED SUBJECT TO A CONDITIONAL USE PERMIT

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA,  
DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines that an amendment to Section 21.70.030 of the Municipal Code relating to airports, heliports and helipads has been processed in accordance with state law and city ordinances and regulations, and that said amendment is in the public interest and consistent with the general plan.

SECTION 2. Based on the evidence presented at the public hearing thereon and in the environmental assessment questionnaire, the City Council adopts the findings in said questionnaire and determines that the amendment will have no significant adverse effect on the environment and adopts and affirms the submitted negative declaration.

SECTION 3. Section 21.70.030 of the Monterey Park Municipal Code is hereby amended by deleting therefrom "airport and heliport" and "helipad" as uses allowed subject to a conditional use permit in all zones in which said uses are currently premitted.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and shall cause the same to be published in the Monterey Park Progress, a newspaper of general circulation, published and circulated in the City of Monterey Park.

INTRODUCED this 28th day of January, 1985.

PASSED, APPROVED AND ADOPTED this 11th day of February, 1985.

  
MAYOR OF THE CITY OF  
MONTEREY PARK, CALIFORNIA

ATTEST:

  
CITY CLERK OF THE  
MONTEREY PARK, CALIFORNIA


ORDINANCE NO. 1627  
PAGE TWO

CITY OF MONTEREY PARK)  
COUNTY OF LOS ANGELES) ss.  
STATE OF CALIFORNIA )

I, Pauline Y. Lemire, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Ordinance No. 1627 was introduced at a regular meeting of the City Council of the City of Monterey Park, California, held on the 28th day of January, 1985, and that it was duly passed, approved and adopted at a regular meeting of said City Council held on the 11th day of February, 1985, by the following vote:

AYES: Chen, Briglio, Manibog, Peralta, Almada  
NOES: None  
ABSTAIN: None

Executed this 14th day of February, 1985, at Monterey Park, California.

  
\_\_\_\_\_  
CITY CLERK OF THE  
CITY OF MONTEREY PARK,  
CALIFORNIA

RJM 921-29



# City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Consent Calendar  
Agenda Item 3-H.**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Michael A. Huntley, Community and Economic Development Director  
**SUBJECT:** Reconciling the effective date of Planning Commission decisions with MPMC § 1.10.020 – which is 10 days.

## **RECOMMENDATION:**

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the ordinance and schedule second reading and adoption for April 18, 2018; and
- (2) Taking such additional, related, action that may be desirable.

## **ENVIRONMENTAL:**

This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings.

## **EXECUTIVE SUMMARY:**

On March 16, 2016, the City Council adopted Ordinance No. 2132. This added a uniform appeals procedure to the Monterey Park Municipal Code ("MPMC"). A copy of that ordinance is attached for reference.

In preparing a recent resolution for Planning Commission consideration, staff identified a conflict within the MPMC as to the effective date of Planning Commission decisions. MPMC § 21.32.110 provides that a decision becomes effective 19 days after a decision; MPMC § 1.10.020, however, provides for a 10-day period within which to appeal a decision. This means that while the appeals period expires 10-day after a Planning Commission decision, that decision does not actually become effective until the 19<sup>th</sup> day.

To reconcile this impracticality with the City Council's intent in adopting Ordinance No. 2132, it is recommended that MPMC § 21.32.110 be repealed. Once that occurs, then the effective date for Planning Commission decisions would be concurrent with the appeals period, i.e., 10 days.

Respectfully submitted:


By:

  
\_\_\_\_\_  
Michael Huntley  
Director of Community and  
Economic Development

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed by:

  
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

Attachments:

Attachment 1: Draft Ordinance

Attachment 2: Ordinance No. 2132, March 12, 2016

# ATTACHMENT 1

## Draft Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REPEALING MONTEREY PARK MUNICIPAL CODE ("MPMC") § 21.32.110 TO RECONCILE THE EFFECTIVE DATE OF PLANNING COMMISSION DECISIONS WITH MPMC § 1.10.020.**

The city council of the city of Monterey Park does ordain as follows:

**SECTION 1:** MPMC § 21.32.110 is repealed as follows:

~~"21.32.110 Commission's Decision Effective When:~~

~~The decision of the Planning Commission shall be final and conclusive at midnight of the 19th day following the date of adoption of the resolution by the Planning Commission, in the absence of filing of a written appeal, in the manner hereinafter specified. Upon the filing of an appeal in the manner herein set forth, the decision of the Planning Commission shall be suspended and of no force and effect unless the City Council fails to render a decision within one hundred twenty (120) days of the filing of an appeal. If no such City Council decision is reached within that one hundred twenty (120) day period, the Planning Commission decision shall be final."~~

**SECTION 2:** *Environmental Review.* This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it consists only of revisions and clarifications to existing zoning regulations and procedures related to such regulations. Adoption of this ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings.

**SECTION 3:** *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 4:** *Enforceability.* Repeal or amendment of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 5:** *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity

will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 6:** The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 7:** *Effective Date.* This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED AND ADOPTED this \_\_\_\_ day of April, 2018.

\_\_\_\_\_  
Stephen Lam, Mayor

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney



# ATTACHMENT 2

## Ordinance No. 2132, March 16, 2016

## **ORDINANCE NO. 2132**

### **AN ORDINANCE ADDING A NEW CHAPTER 1.10 TO THE MONTEREY PARK MUNICIPAL CODE REGARDING APPEALS AND REPEALING MULTIPLE SECTIONS SEPARATELY REGULATING APPEALS.**

The Council of the City of Monterey Park does ordain as follows:

**SECTION 1:** The following Sections of the Monterey Park Municipal Code ("MPMC") are repealed; any reference to such sections within the MPMC are changed to refer to Chapter 1.10:

§ 2.78.080, captioned "Appeals";  
§ 3.26.080, captioned "Appeals";  
§ 2.90.050, captioned "Decisions";  
§ 3.36.120, captioned "Appeal";  
§ 3.38.210, captioned "Appeals";  
§ 5.32.100, captioned "Appeal";  
§ 9.28.120, captioned "Appeal";  
§ 9.40.045, captioned "Appeal";  
§ 12.08.070, captioned "Appeal";  
§ 13.13.200, captioned "Appeal after Hearing";  
§ 13.14.070, captioned "Appeal";  
§ 14.12.090, captioned "Appeal";  
§ 17.02.010, captioned "Amendment – Appeals";  
§ 20.14.050, captioned "Appeal";  
§ 21.06.090, captioned "Appeals";  
§ 21.14.160, captioned "Appeal";  
§ 21.18.140, captioned "Appeals";  
§ 21.24.450, captioned "Additional Appeals";  
§ 21.26.080, captioned "Action on License – Appeal";  
§ 21.28.080, captioned "Appeal from Decision – Hearing Procedure";  
§ 21.32.090, captioned "Appeal of City Planner Action";  
§ 21.32.130, captioned "Appeals of Planning Commission Action"; and  
§ 21.36.090, captioned "Appeal Procedure."

**SECTION 2:** A new Chapter 1.10, captioned "Appeals," consisting of §1.10.010-§1.10.090 is added to the MPMC to read as follows:

#### **"Chapter 1.10: APPEALS**

§ 1.10.010 **PURPOSE AND APPLICATION.**  
§ 1.10.010 **JURISDICTION AND AUTHORIZATION.**  
§ 1.10.020 **TIME LIMIT FOR FILING AN APPEAL.**  
§ 1.10.030 **STAY OF PROCEEDINGS.**  
§ 1.10.040 **FORM FOR FILING.**

**§ 1.10.050 PROCESSING OF APPEALS.**  
**§ 1.10.060 REVIEW BY CITY COUNCIL.**  
**§ 1.10.070 PROCEEDINGS; FINDINGS.**  
**§ 1.10.080 NOTICING REQUIREMENTS**  
**§ 1.10.090 RIGHT TO JUDICIAL REVIEW**

**§ 1.10.010 PURPOSE AND APPLICATION.**

The purpose of this chapter is to establish uniform regulations for appealing decisions made by city officials, boards, and commissions. Those boards and commissions that serve in an advisory role, such as the parks and recreation commission, Unless specifically provided in this code or by applicable law, the city council will render the city's final decision for purpose of judicial review. Consequently, except as otherwise provided in this code or applicable law, this chapter will regulate all appeals set forth in this code.

**§ 1.10.010 JURISDICTION AND AUTHORIZATION.**

- A. *Building Official; Fire Marshal.* Decisions made by the building official or fire marshal in accordance with the uniform codes adopted by reference by this code may be appealed to the board of appeals pursuant to the uniform administrative code or building code as amended by title 16 to this code.
- B. *City Manager.* Decisions made by the city manager may be appealed to the city council.
- C. *Department Director Decisions.* Except as otherwise provided by this chapter, decisions rendered by department directors in accordance with this code may be administratively appealed to the city manager, or designee.
- D. *Design Review Board.* Decisions rendered by the design review board may be appealed to the city council.
- E. *Economic and Community Development Director.* Decisions made by the economic and community development director and city planner in accordance with title 21 of this code may be appealed to the planning commission.
- F. *Planning Commission.* Decisions made by the planning commission may be appealed to the city council.

**§ 1.10.020 TIME LIMIT FOR FILING AN APPEAL.**

All appeals must be filed within 10 calendar days of the date of the

rendering of the decision. If the tenth day occurs on a holiday or weekend, the appeal period is extended to the next city workday. No appeal can be accepted after the appeal period expires.

**§ 1.10.030 STAY OF PROCEEDINGS.**

The timely filing of an effective appeal stays a decision to which the appeal or order of review relates, pending a review of the matter.

**§ 1.10.040 FORM FOR FILING.**

- A. All appeals must be submitted in writing on a form to be provided by the city. The appeal must specifically state the grounds for the appeal and specifically state instances in which the reviewing official or body erred in reaching the determination.
- B. An appeal fee must be paid concurrent with filing of the appeal in accordance with the fee schedule established by city council resolution.

**§ 1.10.050 PROCESSING OF PLANNING COMMISSION OR CITY COUNCIL APPEALS.**

Appeals must be filed with the planning commission secretary or the city clerk, as applicable. Within 14 calendar days after receiving an appeal, the planning commission secretary or city clerk, as applicable, must set the matter for public hearing. No appeal may be withdrawn except by the appealing party; no refund of the filing fee is permitted in case of withdrawal and the appeal is deemed null and void.

**§ 1.10.060 REVIEW BY CITY COUNCIL UPON ITS OWN MOTION.**

The city council, by motion at a city council meeting, carried by at least three votes (or the written appeal of any two council members) made at any time before the effective date of a decision, may appeal to itself any decision on an application governed by this code. A public hearing considering such an appeal will be a de novo proceeding.

**§ 1.10.070 PROCEEDINGS BEFORE THE PLANNING COMMISSION OR CITY COUNCIL; FINDINGS.**

Appeals will be considered at a noticed public hearing. Evidence submitted at the hearing may include, without limitation, witness testimony, documents, or other similar evidence. Formal rules of evidence do not apply. Any evidence proffered, however, must be relevant and material to the issues upon appeal. All actions to affirm, reverse, or modify in whole or part any decision must be in writing and state the findings for the affirmation, reversal, or modification. Unless

otherwise provided by law, any decision by the city council will be final and conclusive. The city council's decision must include notification that pursuant to Code of Civil Procedure § 1094.6, any action to review the decision must commenced not later than the ninetieth day after the date the order is issued.

**§ 1.10.080 NOTICING REQUIREMENTS.**

- A. For public hearings considering an appeal, the public hearing must be held within 60 days from the date the appeal was filed.
- B. Notice of the time and place of public hearings must be given at least ten calendar days before the public hearing. Such notice must include a general description of the appeal.
- C. Notice of any public hearing considering an appeal must be published at least once in a newspaper of general circulation, published and circulated in the City of Monterey Park.
- D. Notice of any public hearing considering an appeal involving real property must be:
  - 1. Mailed or delivered to all persons including businesses, corporations, or other public or private entities owning real property within a radius of 300 feet of the exterior boundaries of the real property which is the subject of the appeal as such owners and their addresses are shown on the current assessment roll of the Los Angeles County Assessor;
  - 2. Published at least once in a newspaper of general circulation, published and circulated in the city; and
  - 3. Posted in conspicuous places on the real property affected.
- E. When notice of a public hearing is given pursuant to this Chapter, the following documentation is deemed sufficient to serve as proof that such notice was given:
  - 1. Publication. When notice is given by publication, an affidavit of publication by the newspaper in which the publication was made.
  - 2. Mailing. When notice is given by mail or other delivery, an affidavit or proof of mailing/delivery must be made, showing, at a minimum, the date or dates of mailing/delivery and the list of persons and groups to which the mailing/delivery was made. Failure to send notice to any property owner whose address is not on the most recent roll of the Los Angeles County Assessor does not invalidate

any of the proceedings.

3. Site sign posting. When notice is posted on a property, an affidavit certifying that a notice of public hearing sign was posted on the project site must be completed at least 11 days before the date of the public hearing. The affidavit must also include a picture of the sign with each date change.

- F. Failure to send notice to any property owner whose address is not on the most recent roll of the Los Angeles County Assessor does not invalidate any of the proceedings.

**§ 1.10.090 RIGHT TO JUDICIAL REVIEW.**

Any person who is aggrieved by a decision of on the city's behalf pursuant to this code, and who has exhausted the administrative remedies provided in this code or any other applicable law, has the right to seek judicial review of such decision by filing a petition for writ of mandate in accordance with Code of Civil Procedure § 1094.5. Notwithstanding the time limits set forth in this chapter, where a shorter time limitation is provided by any other law including, without limitation, the time limitation set forth in Public Resources Code §§ 30800, *et seq.* and in Government Code § 53069.4, such shorter time limit applies."

**SECTION 3:** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 4:** Repeal or amendment of any provision of the MPMC will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 5:** If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other the city ordinance by this Ordinance will be rendered void and cause such MPMC provision or other the city ordinance to remain in full force and effect for all purposes.


**SECTION 6:** The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 7:** This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

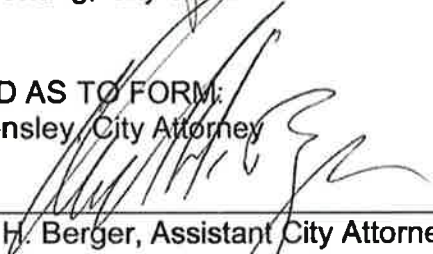
PASSED AND ADOPTED this 16th day of March, 2016.

  
Peter Chan, Mayor

ATTEST:

  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney


By:   
Karl H. Berger, Assistant City Attorney

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF MONTEREY PARK       )

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Ordinance No. 2132 was introduced, and placed upon its first reading at a regular meeting of the City Council of the City of Monterey Park, held on the 2nd day of March, 2016. That thereafter on the 16th day of March, 2016, said Ordinance was duly passed, approved and adopted by the following vote:

Ayes:	Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 16th day of March, 2016.

  
Vincent D. Chang, City Clerk  
City of Monterey Park, California





## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **Unfinished Business**  
**Agenda Item 5-A.**

**TO:** The Honorable Mayor and City Council

**FROM:** Inez Alvarez, Director of Recreation & Community Services  
Annie Yaung, Director of Management Services

**SUBJECT:** Adoption of an urgency Ordinance and first reading of an ordinance reauthorizing the collection of a fee to support Public, Educational, and Governmental ("PEG") channel facilities within the City.

### **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt urgency Ordinance \_\_\_\_\_, reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City;
2. Waive first reading and introduce Ordinance \_\_\_\_\_ reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City; and
3. Take such additional, related, action that may be desirable.

### **EXECUTIVE SUMMARY:**

As authorized by State law, the City of Monterey Park ("City") imposes a one percent (1%) public, educational, and governmental access fee ("PEG Fee") on all state-franchised video service providers operating within the City to support PEG channel facilities and activities. The City's existing PEG Fee ordinance does not include any provisions stating it is to expire, but instead is intended to apply to all franchisees operating in the City. Pursuant to state law, however, the City's PEG fee ordinance will expire when the state franchise expires. Time Warner Cable Pacific West LLC dba Charter Communications ("Charter Communications") renewed their state video franchise on January 2, 2018 (in advance of the franchise-expiration date), and has taken the position that this renewal nullifies the City's ordinance.<sup>1</sup> Furthermore, Charter Communications has expressly stated to the City that it will not collect and remit PEG fees unless the City reauthorizes its PEG fee ordinance, requiring immediate action from the City to reauthorize its ordinance to ensure the continued authority to collect the PEG Fee from Charter Communications.

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<sup>1</sup> While one could argue that because the Charter Communications state franchise has not technically expired (as it was renewed in advance of the expiration date), the City's ordinance has not expired either. Charter Communications is of the view that the state franchise renewal does not forestall its expiration; therefore, because the franchise was set to expire on January 2, 2018, the City's ordinance has expired.



## **BACKGROUND:**

In 2006, the California Legislature adopted the Digital Infrastructure and Video Competition Act ("DIVCA"), which changed the manner in which video services are regulated by placing local franchising within a state franchising system administered by the California Public Utilities Commission ("CPUC"). DIVCA authorizes cities to adopt an ordinance imposing a fee on state franchise holders to support PEG channel facilities. The City Council established such a fee in 2007 by adopting Ordinance No. 2048 to require state-franchised video service providers to pay the City a PEG fee of one percent (1%) of the video service provider's gross revenues attributable to the City.

DIVCA also provides, however, that an ordinance adopting a PEG fee "shall expire, and may be reauthorized, upon the expiration of the state franchise." (Cal. Pub. Utilities Code § 5870(n).) Charter Communications first received a state video franchise to operate within the City on January 2, 2008; this franchise was set to expire on January 2, 2018. On October 2, 2017, prior to the January 2, 2018 expiration date, Charter Communications submitted its renewal application to the CPUC. This application was approved and became effective on January 2, 2018; Charter Communications' franchise is now set to expire on January 2, 2028.

City staff was just recently made aware of Charter Communications' position regarding the expiration of the state video franchise for video service providers operating within the City. Because the Charter Communications franchise expired before staff could bring this matter before City Council, the City faces a potential lapse in collection of the PEG Fee from Charter Communications until such time as the City Council reauthorizes the fee as required by State law. The proposed ordinances would reauthorize the City's PEG Fee, and therefore preserve funding available to support PEG programming facilities and activities going forward.

Because the City depends upon the PEG Fee for capital costs relating to PEG access channel facilities, which are essential to providing City residents with important civic programming including emergency alerts and community and government news, an Urgency Ordinance is necessary for the immediate preservation of the public peace, health and safety. If the City's PEG Fee is not reauthorized immediately, the City may lose funding for its PEG programming facilities. Any loss of funding would jeopardize a trustworthy, reliable and immediate means by which the City communicates with its residents. Any lapse in funding may also lead to confusion among state video franchisees operating within the City regarding the payment of the PEG Fee, leading the City to incur additional costs to recover any overdue fees. The Urgency Ordinance will also enable the City to ensure that it can continue its imposition of the PEG Fee as it relates to Charter Communications without a lapse beyond the number of days that have elapsed since the expiration of the Charter Communications franchise.

In addition to the Urgency Ordinance, staff recommends that the City waive first reading and introduce an Ordinance, to be read by title only, which relates to the exact same


issue. The adoption of the urgency ordinance and regular ordinance will ensure that the City continues to receive the PEG funding moving forward.

**FISCAL IMPACT:**

The ordinances will reauthorize a one percent (1%) PEG fee as well as the five percent (5%) Franchise Fee that the City currently imposes on state-franchised video service providers operating within the City. The PEG fee is collected on a quarterly basis and put into the Video Service Trust Fund account #0075-450-0075-08640. The City collected \$58,998.31 from Time Warner Cable Pacific West LLC dba Charter Communications and \$8,347.09 from AT&T in PEG fees in FY 2016-17. A four-year PEG fee history report is attached for reference. The PEG fee is utilized for the government channel capital improvements, and equipment and cable related expenses and support. If the City does not reauthorize the PEG Fee, the City will no longer receive further PEG fees from state-franchised video service providers operating within the City, which will impact the cable related capital improvements.

Respectfully submitted by:


  
\_\_\_\_\_  
Inez Alvarez  
Director of Recreation & Community Services

  
\_\_\_\_\_  
Annie Yaung  
Director of Management Services

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed by:

  
\_\_\_\_\_  
Natalie C. Karpeles  
Deputy City Attorney

**ATTACHMENT(S):**

1. Urgency Ordinance No. XX
2. Ordinance No. XX
3. Four-Year PEG Fee History Report
4. Correspondence from Charter

**ATTACHMENT 1**  
Urgency Ordinance No. XX

ORDINANCE NO. U-\_\_\_\_\_

**AN URGENCY ORDINANCE REAUTHORIZING THE  
PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE  
ON STATE VIDEO FRANCHISEES OPERATING WITHIN  
THE CITY OF MONTEREY PARK**

The City Council of the City of Monterey Park does ordain as follows

**SECTION 1.** *Findings.* The City Council finds and determines as follows:

- A. Section 5870(n) of the California Public Utilities Code ("Section 5870(n)") was enacted as part of the Digital Infrastructure and Video Competition Act of 2006 and authorized the City of Monterey Park ("City") to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational, and governmental ("PEG") channel facilities.
- B. In 2007, the City adopted Ordinance No. 2048, establishing a one percent (1%) fee for the support of PEG channel facilities and activities within the City ("PEG Fee"), which is codified in Section 3.80.030 of the Monterey Park Municipal Code.
- C. Ordinance No. 2048 has never been repealed and did not include any expiration date, but was intended to apply to and regulate all current and future franchisees, through 2017 and beyond.
- D. Section 5870(n) states that such ordinance shall expire, and may be reauthorized, upon the expiration of the state franchise, and therefore it could be argued that the City's ordinance has lapsed.
- E. Time Warner Cable Pacific West LLC dba Charter Communications operates within the City under a state video franchise that expired on January 2, 2018 and was renewed.
- F. This Ordinance is intended to reauthorize the Public, Education, and governmental fee on the state video franchise operating within the City of Monterey Park.

**SECTION 2.** The City's PEG Fee imposed in Section 3.80.030 of the Monterey Park Municipal Code (Exhibit A) is reauthorized to the extent required by California Public Utilities Code section 5870(n). All state-franchised video service providers operating within the City, including but not limited to those operating pursuant to the Time Warner Cable Pacific West LLC dba Charter Communications Franchise and the AT&T Franchise, shall continue to be subject to the PEG Fee required by Section 3.80.030 of the Monterey Park Municipal Code, which fee shall remain unchanged and in full effect as to all state-franchised video service providers operating within the City.

**SECTION 3.** *Automatic Reauthorization.* Commencing from, and after, the effective date of this Ordinance, the City's PEG fee set forth in Section 3.80.030 of the Monterey Park Municipal Code shall continue to apply to any new or existing franchisee operating in the City and shall automatically be reauthorized upon the expiration of any existing or future state video franchise(s) held by any state-franchised video service provider operating within the City. This Ordinance shall so renew until such time that the City Council takes formal affirmative action to cease the renewals.

**SECTION 4.** *Declaration of Urgency.* The adoption of this Urgency Ordinance is necessary for the immediate preservation of the public peace, health, and safety. Currently, the City depends upon the PEG Fee to support PEG access channel facilities, which are essential to providing City residents with important civic programming, including emergency alerts and community and government news. The City was only recently made aware that the Time Warner Cable Pacific West LLC dba Charter Communications Franchise was renewed on October 27, 2017 thus potentially requiring reauthorization of the City's PEG Fee pursuant to Public Utilities Code section 5870(n). Because the expiration date for the Time Warner Cable Pacific West LLC dba Charter Communications Franchise was January 2, 2018 and the City has yet to reauthorized its PEG fee ordinance, the City arguably faces a lapse in PEG funding from the Time Warner Cable Pacific West LLC dba Charter Communications Franchise. Additionally, Time Warner Cable Pacific West LLC dba Charter Communications has expressly stated to the City that it will not collect and remit PEG fees unless the City reauthorizes its PEG ordinance. If the City's PEG Fee is not reauthorized immediately, the City may lose funding for its PEG programming facilities. Any loss of funding would jeopardize a trustworthy, reliable and immediate means by which the City communicates with its residents. Any lapse in funding may also lead to confusion among state video franchisees operating within the City regarding the payment of the PEG Fee, leading the City to incur additional costs to recover any overdue fees.

Therefore, the City Council finds and determines that the immediate preservation of the public peace, health and safety requires that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937(b) and take effect immediately upon adoption. If this Ordinance does not become effective immediately, but instead becomes effective thirty (30) days after its second reading, funding for City PEG facilities could lapse, causing residents who rely on PEG channels for emergency broadcasts and news updates to lose a vital source of City information. Based on the foregoing, the City Council declares this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

**SECTION 5.** *Environmental Review.* Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

**SECTION 6.** *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 7.** *Enforceability.* Repeal of any provision of the Monterey Park Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 8.** *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 9.** The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 10.** *Effective Date.* This Ordinance will become effective immediately upon adoption pursuant to Government Code § 36937 for the immediate preservation of the public peace, health, safety, and welfare. Pursuant to those statutes this Ordinance is adopted by a four-fifths vote.

PASSED AND ADOPTED this \_\_\_\_ day of March, 2018.

\_\_\_\_\_  
Stephen Lam, Mayor

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:   
\_\_\_\_\_  
Natalie C. Karpeles, Deputy City Attorney

**ATTACHMENT 2**  
Ordinance No. XX

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE ON THE STATE VIDEO FRANCHISE OPERATING WITHIN THE CITY OF MONTEREY PARK.**

The City Council of the City of Monterey Park does ordain as follows:

**SECTION 1.** *Findings.* The City Council finds and determines as follows:

- A. In Section 5870(n) of the California Public Utilities Code ("Section 5870(n)") was enacted as part of the Digital Infrastructure and Video Competition Act of 2006 and authorized the City of Monterey Park ("City") to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational, and governmental ("PEG") channel facilities.
- B. In 2007, the City adopted Ordinance No. 2048, establishing a one percent (1%) fee for the support of PEG channel facilities and activities within the City ("PEG Fee"), which is codified in Section 3.80.030 of the Monterey Park Municipal Code.
- C. Ordinance No. 2048 has never been repealed and did not include any expiration date, but was intended to apply to and regulate all current and future franchisees, through 2017 and beyond.
- D. Section 5870(n) states that such ordinance shall expire, and may be reauthorized, upon the expiration of the state franchise, and therefore it could be argued that the City's ordinance has lapsed.
- E. Time Warner Cable Pacific West LLC dba Charter Communications operates within the City under a state video franchise that expired on January 2, 2018 and was renewed.
- F. This Ordinance is intended to reauthorize the Public, Education, and governmental fee on the state video franchise operating within the City of Monterey Park.

**SECTION 2.** The City's PEG Fee imposed in Section 3.80.030 of the Monterey Park Municipal Code is reauthorized to the extent required by California Public Utilities Code section 5870(n). All state-franchised video service providers operating within the City, including but not limited to those operating pursuant to the Time Warner Cable Pacific West LLC dba Charter Communications Franchise and the AT&T Franchise, shall continue to be subject to the PEG Fee required by Section 3.80.030 of the Monterey Park Municipal Code, which fee shall remain unchanged and in full effect as to all state-franchised video service providers operating within the City.



**SECTION 3. Automatic Reauthorization.** Commencing from, and after, the effective date of this Ordinance, the City's PEG fee set forth in Section 3.80.030 of the Monterey Park Municipal Code shall continue to apply to any new or existing franchisee operating in the City and shall automatically be reauthorized upon the expiration of any existing or future state video franchise(s) held by any state-franchised video service provider operating within the City. This Ordinance shall so renew until such time that the City Council takes formal affirmative action to cease the renewals.

**SECTION 4. Environmental Review.** Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

**SECTION 5. Inconsistencies.** Any provision of the Monterey Park Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effectuate the provisions of this Ordinance.

**SECTION 6. Severability.** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 7. Effective Date.** This Ordinance will take effect on the 30<sup>th</sup> day following its final passage and adoption.

**SECTION 8.** The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

PASSED AND ADOPTED this \_\_\_\_ day of March, 2018.

\_\_\_\_\_  
Stephen Lam, Mayor

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:   
\_\_\_\_\_  
Natalie C. Karpeles, Deputy City Attorney

# **ATTACHMENT 3**

## **Four-Year PEG Fee History Report**

**City of Monterey Park**  
**PEG Fee**  
**0075-450-0075-08640**  
**From 2013/14 To 2016/17**

<b>Year</b>	<b>Charter</b>	<b>AT&amp;T</b>	<b>Total</b>
2013 Jul - Sep	14,571.32	1,416.35	15,987.67
2013 Oct - Dec	14,100.60	2,491.96	16,592.56
2014 Jan - Mar	14,229.76	2,550.37	16,780.13
2014 Apr - Jun	14,385.33	2,825.86	17,211.19
<b>FY2013-14</b>	<b>57,287.01</b>	<b>9,284.54</b>	<b>66,571.55</b>
2014 Jul - Sep	14,079.17	2,955.30	17,034.47
2014 Oct - Dec	14,434.57	3,186.67	17,621.24
2015 Jan - Mar	14,105.62	3,201.67	17,307.29
2015 Apr - Jun	14,413.84	3,417.12	17,830.96
<b>FY2014-15</b>	<b>57,033.20</b>	<b>12,760.76</b>	<b>69,793.96</b>
2015 Jul - Sep	13,996.08	3,157.34	17,153.42
2015 Oct - Dec	14,153.67	3,196.59	17,350.26
2016 Jan - Mar	14,182.47	2,872.51	17,054.98
2016 Apr - Jun	14,286.46	2,594.77	16,881.23
<b>FY2015-16</b>	<b>56,618.68</b>	<b>11,821.21</b>	<b>68,439.89</b>
2016 Jul - Sep	14,194.78	2,255.50	16,450.28
2016 Oct - Dec	14,572.02	2,219.50	16,791.52
2017 Jan - Mar	15,009.99	1,964.43	16,974.42
2017 Apr - Jun	15,221.52	1,907.66	17,129.18
<b>FY2016-17</b>	<b>58,998.31</b>	<b>8,347.09</b>	<b>67,345.40</b>

## **ATTACHMENT 4**

### Correspondence from Charter

**From:** [Hidalgo, Peter G](#)  
**To:** [Ishino, Randy](#)  
**Cc:** [CMO; Wong, Diana](#)  
**Subject:** MONTEREY PARK DIVCA PEG FEE  
**Date:** Wednesday, February 28, 2018 2:18:42 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

Dear Randy -

It was nice speaking with you yesterday afternoon.

To reiterate, last fall, we notified the City through our Franchise Fee payment, that the CPUC recently renewed Charter's state-issued franchise covering Monterey Park. Our renewed franchise took effect on January 2, 2018.

To continue receiving a PEG fee from Charter, Monterey Park must reauthorize its DIVCA PEG ordinance in order for Charter to be permitted to continue to collect and remit PEG fees.

We have not received a final signed copy of the reauthorized ordinance.

If we do not receive a reply from the City by the end of this week, which indicates they intend to take urgent action on the DIVCA PEG Fee reauthorization, Charter will no longer be able to remit a PEG fee.

Kindest,

- Peter



**Peter Hidalgo | Director, Government Affairs | 213.369.0016**

212 S. Indian Hill Boulevard | Claremont, CA 91711

**\*\* Updated email: [Peter.Hidalgo@Charter.com](mailto:Peter.Hidalgo@Charter.com)**

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## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **New Business**  
**Agenda Item 6-A.**

**TO:** The Honorable Mayor and City Council  
**FROM:** Ron Bow, City Manager  
Inez Alvarez, Director of Recreation & Community Services  
**SUBJECT:** Approve Fundraising Campaign for two (2) Fitness Courts

**RECOMMENDATION:**

It is recommended that the City Council:

1. Approve a fundraising campaign to seek monetary sponsorship to support the construction of two (2) National Fitness Campaign Fitness Courts at Edison Trails Park and Barnes Park; and
2. Take such additional, related, action that may be desirable.

**EXECUTIVE SUMMARY:**

In February 2018, City staff applied for grants for two National Fitness Campaign (NFC) Fitness Courts and were approved for both Edison Trails Park and Barnes Park. As a result, the City was awarded a \$10,000 grant and a \$5,000 credit for each site. The awarded amount reduces the overall Fitness Court equipment cost of \$90,000 to \$75,000 per site. The Award Letter (Attachment 1) is included for reference.

The Fitness Court is designed to provide free, outdoor bodyweight circuit training equipment for adults of all ages and ability levels. There are thirty fitness elements grouped into seven stations allowing for 28 users to be on the Court at one time. Patrons can choose to utilize the free mobile app, provided by NFC "Fitness Court," to be guided through an exercise routine or freestyle and customize their workout. Attachment 2 is an illustration of the Fitness Court and amenities.

The approximate cost for each Fitness Court is list below:

NFC Fitness Court Equipment (Attachment 2)	\$75,000
Concrete Pad	\$30,000
Pour in Place (PIP) Flooring Surface	\$20,000
Shipping and Installation	\$7,000
Total per each location	\$132,000

Attachment 3 is a cost estimate provided by National Fitness Campaign showing the equipment cost per Fitness Court of \$75,000.

If approved, a fundraising campaign will be established to begin securing funding sponsors for the construction of two Fitness Courts. As an incentive for potential sponsors, company logos will be prominently displayed on the wall of the Fitness Court, as illustrated in Attachment 4.

Staff and NFC reviewed both sites and are proposing locations that provide high visibility and accessibility to walkways, restrooms, and playgrounds. At Barnes Park, the proposed location is visible from Ramona Ave., between the ball field, playground, and restrooms as shown in Attachment 5. At Edison Trails Park, the proposed location is visible from Garfield Ave. and Wilcox Ave., near the restrooms and playground as shown in Attachment 6.

The approximate timeline for the fundraising campaign would begin upon approval from the City Council through September 2018 and staff anticipate construction to be completed by December 2018.

### **BACKGROUND:**

NFC is dedicated to building fit communities around the world. NFC operates by building partnerships with cities, schools, corporations and organizations to fund, build and activate local fitness campaigns. These campaigns are centered on NFC Fitness Courts built in public spaces. Promotional and activation campaigns accompany the healthy infrastructure, providing programming, fitness challenges and tools to encourage community participation.

NFC invented the outdoor Fitness Court in 1979 to encourage people to adopt healthy lifestyles in public spaces. The original Fitness Courts were opened in San Francisco and at Stanford University. Between 1980 and 1990, NFC grew to over 4,000 communities, building partnerships with more than 100 corporate sponsors and raising over \$100 million dollars in the US, Canada and Australia.

In 2012, NFC reinvented the Fitness Court for a new generation. It includes an exciting digital coaching app, a nationwide fitness challenge series and programs designed to make fitness a priority in public spaces. California cities that are participating include Alhambra, Daly City, Emeryville, Foster City, Imperial Beach, Kingsburg, La Quinta, Lynwood, Oroville, Palmdale, Perris, Pittsburg, Port Hueneme, Sacramento, and South San Francisco. Attachment 7 provides a brief history of NFC for reference.

### **FISCAL IMPACT:**

If approved, City staff will seek sponsorships for each site to obtain needed funding to purchase and install two Fitness Courts with the goal of raising approximately \$264,000.



Respectfully submitted by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Prepared by:

  
\_\_\_\_\_  
Inez Alvarez  
Director of Recreation & Community Services

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed by:

  
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

**ATTACHMENT(S):**

1. Award Letter
2. Fitness Court Specifications and Amenities
3. National Fitness Campaign Quote
4. Sponsor Logo Placement
5. Barnes Park Site Map
6. Edison Trails Site Map
7. National Fitness Campaign History

# **ATTACHMENT 1**

## **Award Letter**



**Congratulations – Monterey Park has been selected to join the 2018 National Fitness Campaign!**

Dear Ron,

We are pleased to announce that the City of Monterey Park has been selected to receive two NFC Fitness Grants, provided by official music sponsor Fit Radio, to join the 2018 National Fitness Campaign.

This letter confirms your award of two \$15,000 grants towards building two NFC Fitness Courts™ and your local Campaign.

Your City has made a choice: to lead a national movement and make world class fitness free! Our team will work with you over the coming months to follow the path outlined in your grant application, to ship your NFC Fitness Courts™ and to make you part of the National Campaign, promoting and activating the program in 2018.

We have assigned Trent Matthias as your dedicated Campaign Manager, your champion and partner in this program.

This grant award is the first step towards formal confirmation of your participation. The next step is a call with Trent and your team to discuss building our partnership. This call will be scheduled for a time within the next 10 days.

Here are some of the things to look forward to in 2018:

- Opening Day Training Camp – Let's launch your NFC Fitness Courts™ and build a fit community!
- Fitness Court App – Learn the routines, track your score and compete in national challenges.
- Mayor's Fitness Challenge – Get residents moving and engaging with City leadership
- Social Media Promotions – Localized and National promotions featuring your City

On behalf of the entire NFC team, I am thrilled to invite the City of Monterey Park to join us as partners in the 2018 National Fitness Campaign.

Best in Fitness,

A handwritten signature in black ink, appearing to read 'Mitch Menaged', with a stylized flourish at the end.

Mitch Menaged, Founder  
**National Fitness Campaign**

## **ATTACHMENT 2**

### **Fitness Court Specifications and Amenities**

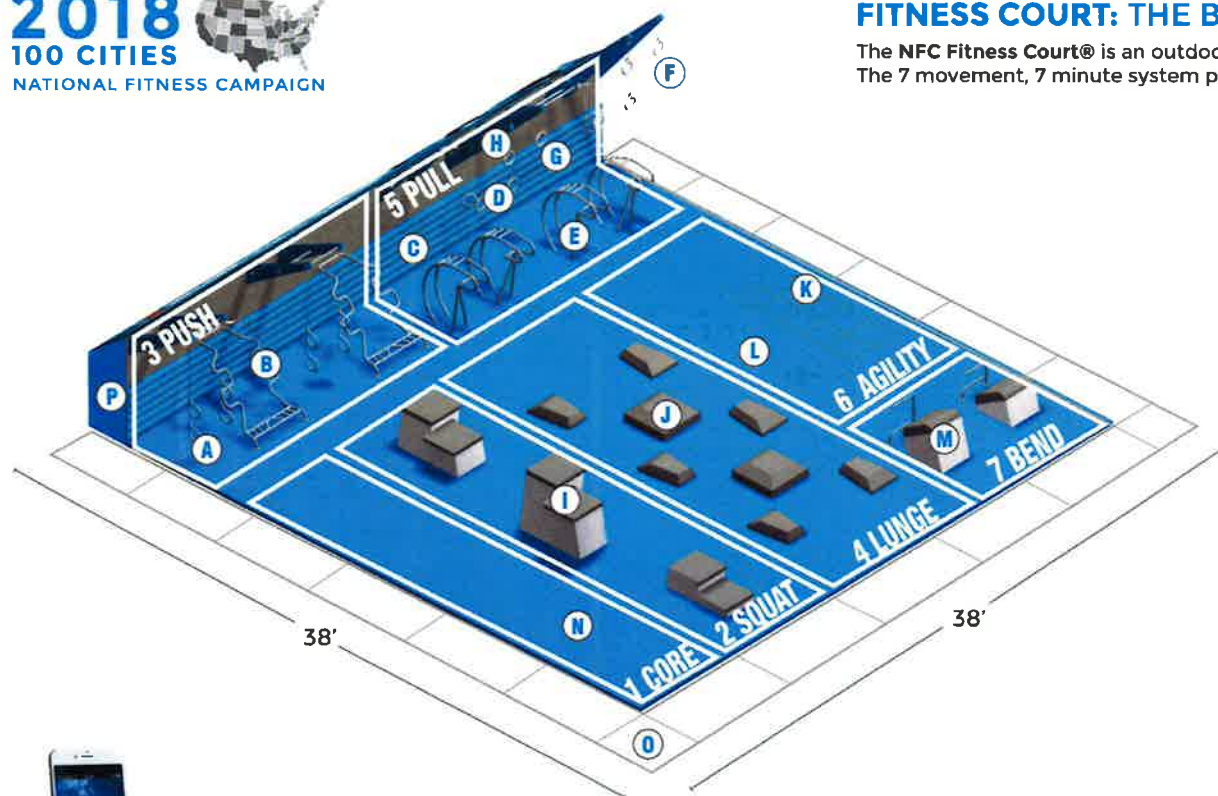


## FITNESS COURT: THE BEST OUTDOOR GYM IN THE WORLD

The NFC Fitness Court® is an outdoor bodyweight circuit training system built in public spaces. The 7 movement, 7 minute system provides a full-body workout to people of all ability levels.

### FITNESS ELEMENTS

- (A) 2 SETS DESTABILIZED PUSHING HANDLES
- (B) 2 SETS STABILIZED PUSHING LADDERS
- (C) 7 PROGRESSIVE FOOTHOLD STRIPS
- (D) 2 SETS ROWING HANDLES
- (E) 4 FULL BODY ROWING STATIONS
- (F) 2 SETS MUSCLE UP RINGS
- (G) 2 SETS BICEP CURL RINGS
- (H) 2 SETS STABILIZED PULL-UP BARS
- (I) PLYOMETRIC / SQUAT BOXES
- (J) LUNGE STEP COURSE
- (K) AGILITY LADDERS
- (L) AGILITY DOTS
- (M) 2 BENDING STATIONS
- (N) P.I.P. SURFACE (installed by others)
- (O) CONCRETE SLAB (installed by others)
- (P) PROGRESSIVE TRAINING WALL



### Specifications

MADE TO LAST IN THE USA

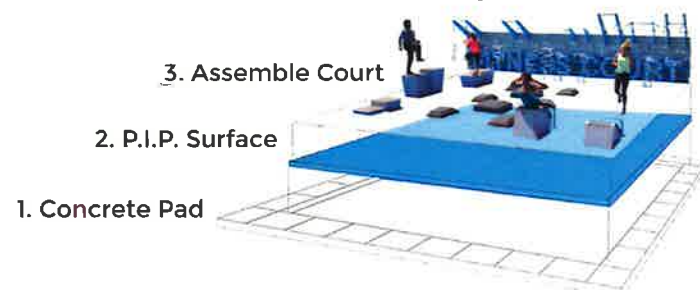
- manufactured in America
- resilient to heavy, repeated daily use
- over 30 individual pieces of equipment
- powder-coated steel components
- galvanized fittings and bolts
- stainless steel cables

### Warranty + Maintenance

VIRTUALLY MAINTENANCE FREE

- made for all climates
- almost no moving parts (only the cables)
- equipment is anchor bolted into concrete
- Limited warranty on all equipment
- replacement parts available through NFC
- no requirement for disassembly in winter

### Installation - by others\*



\*Full installation specifications and documentation are provided upon request

## **ATTACHMENT 3**

### **National Fitness Campaign Quote**



# QUOTE

City of Monterey Park  
320 West Newark Ave  
MONTEREY PARK CA 91754  
USA

**Date**  
Mar 26, 2018

**Expiry**  
Jul 23, 2018

**Quote Number**  
QU-0082

National Fitness  
Campaign LLC  
For all questions  
regarding this quote,  
contact: [info@nfchq.com](mailto:info@nfchq.com)

Description	Quantity	Unit Price	Tax	Amount USD
Fitness Court and National Campaign Resources - \$10,000 National Grant Funds Award - \$5,000 Fitness Court Material Credit	1.00	75,000.00	Tax Exempt	75,000.00
Fitness Court and National Campaign Resources - \$10,000 National Grant Funds Award - \$5,000 Fitness Court Material Credit	1.00	75,000.00	Tax Exempt	75,000.00
Subtotal				150,000.00
TOTAL USD				150,000.00

## Terms

### 1. PAYMENT TERMS

Purchaser will pay Seller 50% of the Purchase Price at least 60 days prior to the Shipping Date. Purchaser will pay the remaining 50% of the Purchase Price within 30 days of the Shipping Date. These payment terms will apply unless other approved payment terms have been agreed to by both parties.

### 1. SHIPPING AND DELIVERY

\*Shipping costs are not included and are TBD, based on final delivery location. FOB Munford, AL. Seller will notify Purchaser of shipping costs, including packing, insurance and freight, prior to the Shipping Date, and Purchaser is responsible for paying these costs within 30 days of the Delivery Date.

## NFC Program Details - Campaign Specifications

**Fitness Court™** The Fitness Court™ is a 32'x35' outdoor bodyweight circuit training system\*



### **Fitness Court™ Description:**

32'x35' outdoor bodyweight circuit training system with the following components:

1. Seven station circuit training system providing full-body workout modules
2. Fitness Court body-weight training wall measuring 32'W x 2'D x 6' H with wall graphics describing use, sponsor recognition and buyer recognition
3. Thirty pieces of body-weight training equipment (Fitness Elements) for simultaneous use by 28 users at one time. Fitness Elements are anchored and grouped within seven stations.
4. Bolts, attachments and anchors required for installation

### **Specifications:**

1. All structural components are made from high-grade carbon steel
2. Structural components receive high-grade powder coating
3. All cladding (skins) made from high-grade aluminum and powder coated
4. Lunge steps coated with polyurethane foam
5. Plyometric boxes are capped with a color coded EPDM rubber surface
6. All deck anchors are mounted into an epoxy solution for seismic movement
7. All anchors for installation are included with Fitness Court
8. Bend stations are padded for comfort with memory foam and covered with mold and tear resistant fabric

\*See attached exhibit for further information on the Fitness Court system.

## **National Campaign Resources**

The National Campaign Resources is a collection of digital and print resources and services designed to activate, encourage and strengthen public participation in free outdoor fitness activities.

### *Components:*

#### **Web and Press tools**

- 2018 National promotions including city partners
- Customized 2018 Campaign Web story and press release featuring city partners
- 2018 Social Media activation and promotion campaign featuring city partners

#### **Fitness Court Mobile App**

- IOS/ Android App teaching proper use, routines and challenges to the public - free for all users
- Coach mode, challenge mode, and social mode - allowing a variety of ways to participate in the program
- Social component encourages community participation and awareness

#### **Circuit Training Programs**

- 3 Levels of Circuit Training Routines (to be completed on the Fitness Court)
  - Beginner: Baseline Functional Fitness Training System
  - Intermediate: Full-Body Circuit training system for athletes at any level
  - Advanced: Competitive Fitness Court Challenge Series

#### **Localized Promotional Materials**

- Fitness Court Launch Party Kit
  - Press Release
  - Fitness Court Launch Party Event Guide
  - Event Roadmap and custom Campaign Support

#### **Activation Guidelines Package**

- Fitness Court Programs
  - Group Fitness, Outdoor Classes, Bootcamps, Challenge Series
- Mayor's Challenge National Promotion Kit

Note: The National Fitness Campaign provides a comprehensive program encompassing both a physical installation in public space and promotional campaign and resources that work to assist city partners in activating their community. The Fitness Court, Campaign Ecosystem and components cannot be funded separately.



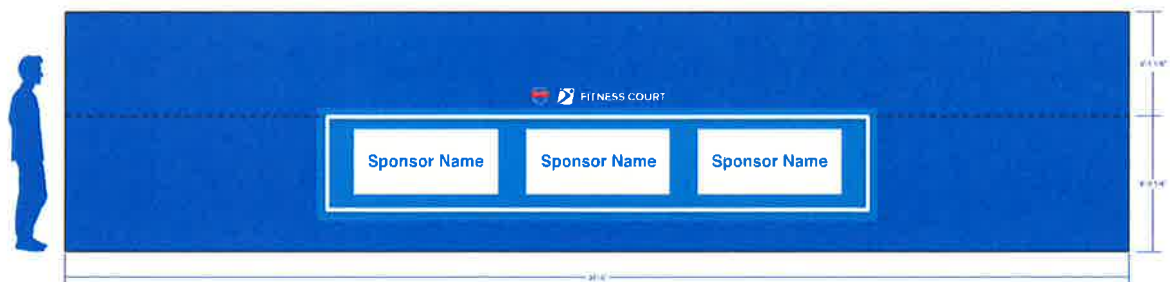
## **ATTACHMENT 4**

### **Sponsor Logo Placement**

# Custom Signage and Graphics

Personalize your Fitness Court and celebrate your city, sponsors and donors with custom signage and graphics on the front and rear walls. National Fitness Campaign supports full color graphics on the prominent front wall recognition area and white artwork up to 16' wide and 2' 9" tall on the rear wall. All graphics are custom-printed on high quality vinyl sheets.

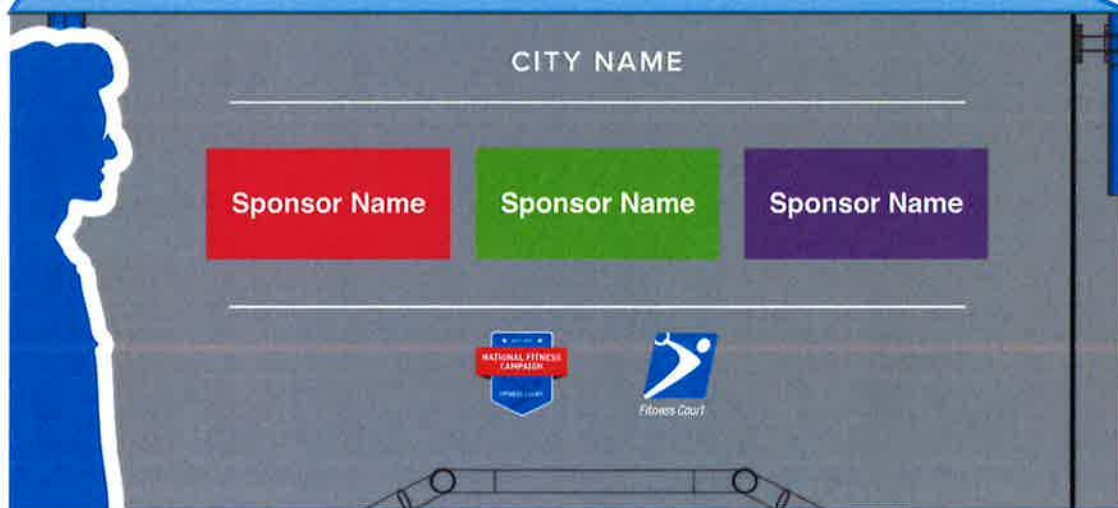
## REAR WALL



## FRONT AND SIDE WALLS



## FRONT WALL RECOGNITION AREA



# **ATTACHMENT 5**

## **Barnes Park Site Map**

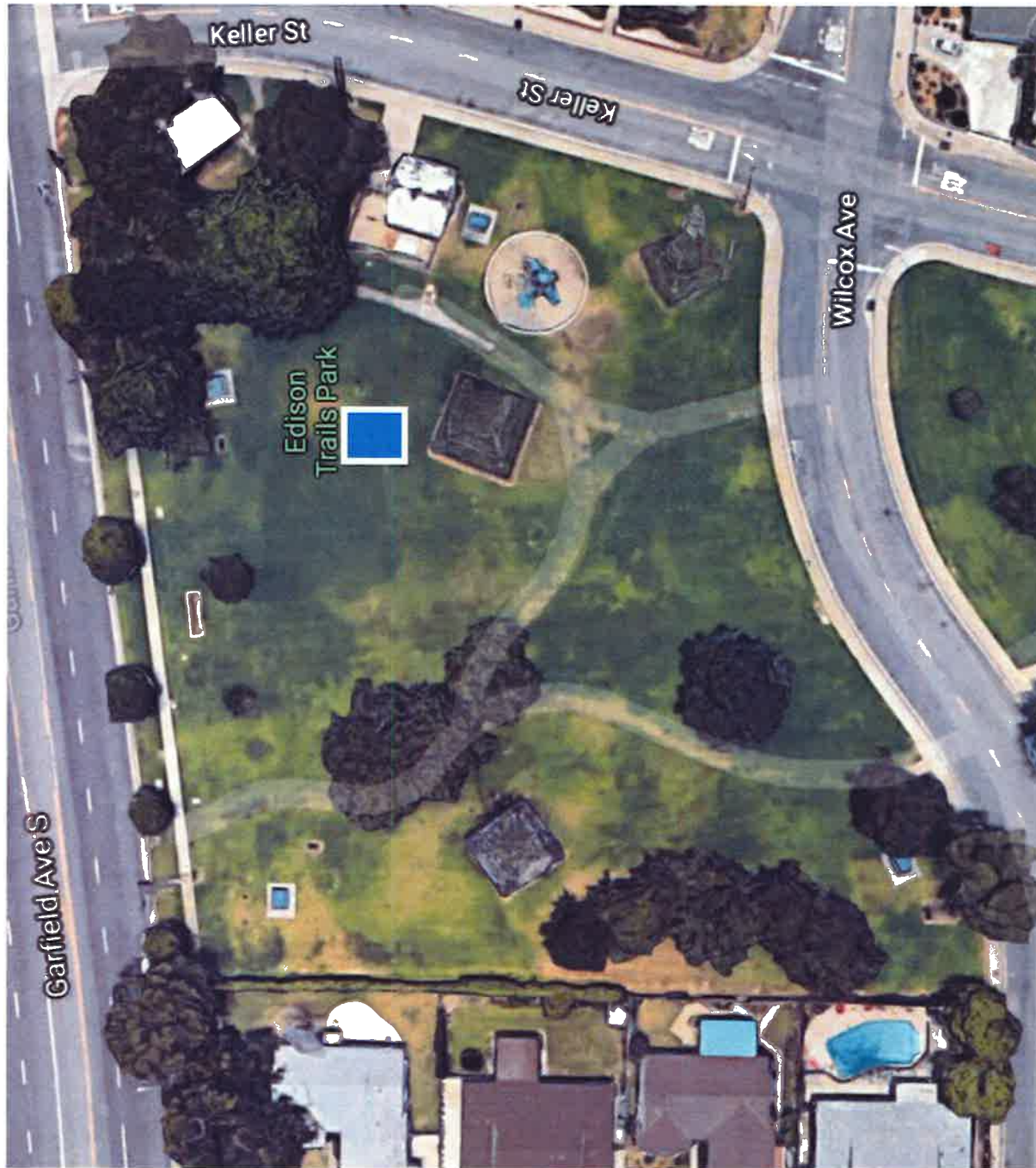




# **ATTACHMENT 6**

## **Edison Trails Site Map**





# **ATTACHMENT 7**

## **National Fitness Campaign History**

# NFC: PAST AND PRESENT



## TIMELINE

### **1979 - National Fitness Campaign founded by Mitch Menaged in San Francisco, CA.**

- Mitch saw an opportunity to re-imagine outdoor fitness stations.
- He envisioned a more compact & social exercise space.
- The NFC Fitness Court was born and the program was piloted in San Francisco and at Stanford University.

### **1980 - 1990 - The Campaign reaches new heights, nationally and internationally**

- National Fitness Campaign grew to partner with over 4,000 cities, 100 corporate sponsors and raised over \$100 million in the countries of US, Canada, and Australia.
- It was the largest ever public and private partnership in support of physical fitness.

### **2011 - The NFC Fitness Court is back, this time it's better than ever**

- Mitch assembled a world-class team to re-invent the Fitness Court for the 21st century.
- The team used San Francisco's Treasure Island as a lab for developing and testing the modern Fitness Court to perfection.
- 2012 - 2017 - The pilot Fitness Court is placed in its new home, along the iconic Bay Trail.
- With support from the city of San Francisco and SF Recreation & Park, the first modern Fitness Court was installed on the Bay Trail less than 3 miles from the Golden Gate Bridge.
- Tens of thousands of San Francisco residents and tourists use the new Fitness Court.
- With increasing demand from other communities, the NFC prepares to launch the Campaign.

### **January 2017 - Once again, the NFC will make world class fitness free for all**

- Fit Radio, the world's #1 workout music app, comes on board as the NFC'S new national sponsor.
- With Fit Radio behind them, The NFC creates plans to include 100 U.S. communities in their 2018 sponsor supported campaign.
- April 2017 - Grant funding is officially available, the search for 100 elite cities begins.
- NFC opens for application submissions from cities and counties with interest in making world class fitness free!
- Over 600 U.S. communities have been in contact regarding the 2018 Campaign.

### **August 2017 - The 2018 Campaign picks up speed, partners all over the country are added**

- 50 percent of the 2018 grant funding is awarded, with another 50 percent waiting in line
- Cities from over 25 states around the country have now joined the Campaign

### **September - December 2017 - The final group of partnerships to be formed**

- NFC selects the final partners to round out the elite 100.
- Internally, the team puts finishing touches on cutting edge features for the Fitness Court App, preparations for 100 Opening Day Celebrations, and plans for the 2018 National Mayor's Fitness Challenge!

### **January 2018 - The Campaign Launch Nationwide!**

- Cities and their Fitness Courts will be nationally spotlighted with opening day celebrations as Courts are built and installed on a rolling basis throughout the entire year.
- NFC prepares the opening stages of the 2019 Campaign that will bring Fitness Courts to new communities across America





## City Council Staff Report

**DATE:** April 4, 2018

**AGENDA ITEM NO:** **New Business**  
**Agenda Item 6-B.**

**TO:** The Honorable Mayor and City Council  
**FROM:** Mark A. McAvoy, Director of Public Works/City Engineer  
**SUBJECT:** Resolution Identifying a Capital Improvement Project to be Included in the FY 2018-19 Budget and Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017

### **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt a resolution identifying a capital improvement project to be included in the FY 2018-19 budget and funded with Road Maintenance and Rehabilitation Act (RMRA) funds, in a form approved by the City Attorney; and
2. Take such additional, related action that may be desirable.

### **EXECUTIVE SUMMARY:**

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfall statewide. As of November 2017, portions of SB 1 revenues are deposited into a Road Maintenance and Rehabilitation Account (RMRA) and made available to eligible cities and counties, which must comply with RMRA funding requirements as determined by the California Transportation Commission (CTC).

RMRA funds made available for the Local Streets and Roads Funding Program are prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects. The CTC provided a number of example projects and uses for RMRA funding that include, but are not limited to, the following: Road Maintenance and Rehabilitation, Safety Projects, Railroad Grade Separations, Complete Streets Components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project), and Traffic Control Devices.

### **BACKGROUND:**

The most recent State estimates for FY 18-19 project Monterey Park to receive \$1,023,032 in RMRA funds. In order to be eligible to receive these funds, agencies must submit a proposed project list to the CTC by May 1, 2018, along with budget support


documentation including the council meeting minutes and/or resolution of the City Council committing to the project list.

The proposed capital improvement project includes the resurfacing of various local streets as identified in the City's Pavement Management Study, listed in the resolution. Staff reviewed the study and selected those street segments that would most benefit from a rehabilitation project based on their current conditions. Once the resolution is adopted and submitted, staff will begin the design plans and specifications with construction of the project during FY 18-19. Rehabilitation will include isolated repairs, patching, grinding, and overlay with new surfacing such as asphalt concrete and/or asphalt rubber hot mix, as well as some minor concrete items such as sidewalk and ramp repairs.


**FISCAL IMPACT:**

As the City's budget process for FY 2018-19 is now underway, the adoption of the resolution to include the capital improvement project in the upcoming budget and funded with RMRA funds will allow the City to receive the RMRA funding for street rehabilitation projects, and help the City improve the overall quality of the roadway system.

Respectfully submitted by:

  
\_\_\_\_\_  
Mark A. McAvoy  
Director of Public Works/  
City Engineer

Prepared by:

  
\_\_\_\_\_  
Rey Alfonso  
Assistant City Engineer

Reviewed by:

  
\_\_\_\_\_  
Annie Yaung  
Director of Management Services

Approved by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed by:

  
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

Attachment:

1. Resolution

# **ATTACHMENT1**

## Resolution

## **RESOLUTION NO.**

### **A RESOLUTION IDENTIFYING A CAPITAL IMPROVEMENT PROJECT TO BE INCLUDED IN THE FY 2018-19 BUDGET AND FUNDED BY SENATE BILL 1: ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

#### **THE CITY COUNCIL RESOLVES AS FOLLOWS:**

#### **SECTION 1.** The City Council finds as follows:

A. Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide.

B. SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year.

C. The City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City's operating budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

D. The City will receive an estimated \$1,023,032 in RMRA funding in Fiscal Year 2018-2019.

E. The City used a Pavement Management Study to help develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment.

F. The funding from SB 1 will help the City maintain and rehabilitate its streets throughout the City this year and several similar projects into the future. This revenue will help us increase the overall quality of our road system over the next decade.

G. Cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network.

H. The SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety and investing in complete streets infrastructure will have significant positive co-benefits statewide.

**SECTION 2.** The City Council takes the following actions:

A. The Operating Budget for fiscal year 2018-2019 is amended to incorporate the following project planned to be funded with Road Maintenance and Rehabilitation Account revenues:

<b>Project:</b>	Various Street Resurfacing
<b>Description:</b>	Cold mill asphalt concrete pavement and construct rubberized asphalt concrete overlay on various local streets. Work includes but is not limited to grind, overlay, and replacement of curb ramps.
<b>Location:</b>	Chandler Ave – Newmark Ave to Graves Ave Crest Vista Dr – Wandering St to Crest Way De la Fuente St – Cadiz St to Harding Ave Fulton Ave – Kempton Ave (N) to Kempton Ave (S) Keller St – Kempton Ave to Fulton Ave Mabel Ave – Marguerita Ave to Atlantic Ave Marguerita Ave – Garvey Ave to Newmark Ave McPherrin Ave – Hellman Ave to Emerson Ave McPherrin Ave – Newmark Ave to Graves Ave Mooney Dr – Orange Ave to East City Limit Moore Ave – Newmark Ave to Harding Ave Schoolside Ave – Cesar Chavez Ave to 1 <sup>st</sup> St Vancouver Ave – Floral Dr to Cesar Chavez Ave Wilcox Ave - El Repetto Dr to Keller St Wilcox Ave – Pomona Dr to Aldergate St
<b>Estimated Useful Life:</b>	15-20 years
<b>Est. Year of Construction/</b>	
<b>Completion:</b>	Fiscal Year 2018-2019
<b>Budget Amount:</b>	\$1,023,032

**SECTION 3.** If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

**SECTION 4.** To the extent that any other resolution is incorporated into this Resolution, it is superseded or amended in its entirety.

**SECTION 5.** This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> of April 2018.

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Stephen Lam, Mayor  
City of Monterey Park

ATTEST:

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Vincent D. Chang, City Clerk  
City of Monterey Park

APPROVED AS TO FORM:  
MARK D. HENSLEY, City Attorney

By:



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Karl H. Berger  
Assistant City Attorney